

VALLEY TOWNSHIP

MONTOUR COUNTY, PENNSYLVANIA

SUBDIVISION & LAND DEVELOPMENT ORDINANCE

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Prepared by

VALLEY TOWNSHIP BOARD OF SUPERVISORS

VALLEY TOWNSHIP PLANNING COMMISSION

VALLEY TOWNSHIP ZONING OFFICER

and

VALLEY TOWNSHIP SOLICITOR

with the assistance of

LANDPLAN, INC.

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VALLEY TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

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ARTICLE 1.

SHORT TITLE, AUTHORITY & PURPOSE

100 SHORT TITLE

This Ordinance shall be known and cited as the "Valley Township Subdivision and Land Development Ordinance of 1991".

101 AUTHORITY

Section 501 of the PA Municipalities Planning Code, 53 P.S. Section 10501, as reenacted and amended in 1988, December 21, P.L. 1329, Act 170, provides that Valley Township may regulate subdivision and land development within the Township by enactment of a Subdivision and Land Development Ordinance. Such activities shall be defined as follows.

A. **"Subdivision"** is defined as the division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, or parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

B. **"Land Development"** is defined as any of the following activities:

1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

a. a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

b. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

2. A subdivision of land.

102 **PURPOSE**

The Valley Township Board of Supervisors hereby cite the following as the specific purposes for which this Ordinance was enacted.

- A. To provide for orderly, efficient, and harmonious development of the Township as per the recommendations of the Valley Township Comprehensive Plan.
- B. To promote the health, safety, welfare, and morals of the citizens of the Township.
- C. To ensure coordination of subdivision and land development proposals with municipal public improvement plans and programs.
- D. To secure the protection of soil and water resources and natural drainageways.
- E. To assure that adequate easements and rights-of-way are provided for drainage facilities and public utilities;
- F. To insure that any reservation of land area for public use is suitable in size and location for the designated use;
- G. To facilitate the safe and efficient movement of people and goods through the Township by requiring the coordination of streets in or bordering a proposed subdivision with streets in existing developments, where possible.
- H. To encourage the utilization of flood hazard areas in a manner that will not increase the flood hazard.
- I. To ensure that land subject to subsidence or other environmental limitation is made safe for proposed development or is utilized in such a fashion that will not endanger life nor aggravate an existing hazard.
- J. To secure equitable processing of all subdivision and land development plans by providing uniform standards and procedures.

103 **APPLICABILITY**

Any person, partnership or corporation intending to subdivide or develop property in Valley Township shall prepare plans in accordance with the standards contained in this Ordinance. Such plans and all required documentation shall be submitted to the Township Planning Commission for review and to the Township Board of Supervisors for approval or disapproval, as per the requirements of this Ordinance. The Township Supervisors shall consider all review comments and recommendations

received prior to taking action on a proposed subdivision or land development. The Township Supervisors shall however, have full authority to approve or disapprove all such plans or proposals.

104 INTERPRETATION

The provisions of this Ordinance shall be held to be minimum requirements to meet the purposes stated herein. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall prevail. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance or regulation shall prevail.

105 AUTHORITY OF COUNTY PLANNING COMMISSION

A copy of all subdivision and land development plans for proposals to be located within Valley Township shall be forwarded, upon receipt by the municipality, to the Montour County Planning Commission for review and comment. The municipality shall not approve such proposal until receipt of the County comments or until the expiration of 30 days from the date such proposal was forwarded to the County Planning Commission. (See also Section 302 B.2 of this Ordinance.)

106 DISCLAIMER OF MUNICIPAL LIABILITY

The grant of approval of a subdivision or land development plan or of any improvement installed as a condition thereof, shall not constitute a representation, guarantee, or warranty of any kind by the Township, or by any official, employee or appointee thereof of the practicability or safety of the proposed use, and shall create no liability upon the Township, its officials, employees or appointees for any damage that may result pursuant thereto.

ARTICLE 2.

PLAN REQUIREMENTS

200 GENERAL REQUIREMENTS

All subdivision and land developments plans, whether intended as sketch, preliminary or final submissions, shall meet the requirements outlined in the following Sections.

201 SKETCH PLANS (Optional)

Sufficient information shall be provided in the sketch plan submission to clearly indicate the character and extent of the proposed subdivision or land development. When utilized, sketch plans should be legibly drawn at a reasonable scale and may include or show the following data to ensure the greatest usefulness:

- A. Title block, containing the name of the owner of the tract, municipality, date and approximate scale of the drawing.
- B. North arrow (USGS Grid North).
- C. Tract boundary sketch, showing the location of the proposed subdivision or development in relation to the entire tract.
- D. Location map, showing the relationship of the proposed subdivision or land development to all adjoining properties, the road and highway system and municipal boundaries, including an area extending at least 1/2 mile from the subdivision boundaries, and showing the relationship of the subdivision to existing community facilities and utilities;
- E. Proposed street and lot layout, including the approximate dimensions and acreage of the area to be developed.
- F. The location of all significant topographic and physical or natural features, including watercourses, wetlands, forests, or floodplains on or adjacent to the subdivision or development site.
- G. The location of all existing streets, rights-of-way, and utilities adjacent to the site.

202 PRELIMINARY PLANS

A. Preliminary Plan Requirements

Preliminary Plans shall be either black and white or blue

and white prints, drawn on 18" x 24" or 24" x 36" sheets, and shall be prepared at a scale not to exceed 100 feet to the inch. If the preliminary plan is drawn in two or more sections, it shall be accompanied by a key map showing the exact location of the sections.

Preliminary plans shall show the following data:

1. Title block containing the name of the owner of the tract, municipality, date, scale, and the name and profession of the individual preparing the plan.
2. North arrow (USGS Grid North), perimeter boundaries showing bearings and distances of the area to be developed, proposed lot lines, dimensions of areas to be dedicated to public use, and building setback lines, total number of parcels or dwelling units, including a numbering system to identify each lot, approximate area of each lot, total acreage, and existing zoning classification.
3. Tract boundary sketch, showing the location of the proposed development in relation to the entire tract and showing the names of owners of all adjoining property and of all abutting subdivisions.
4. Location map, showing the relation of the tract to adjoining properties, the road and highway system and municipal boundaries, including an area extending at least 1/2 mile from the subdivision boundaries.
5. Location and width of all existing or proposed streets, rights-of-way, parking areas, driveways (as determined appropriate), and easements on or adjacent to the tract, including right-of-way and pavement widths and street names.
6. Location and size of existing and proposed sewers, water mains, and culverts, buildings, transmission lines, fire hydrants, and other significant man-made features on or adjacent to the tract.
7. Soil percolation test sites and/or deep test pit locations, and soils mapping or soil type information, as appropriate, except where public sewers are provided.
8. Proposed on-site well location and 100 foot well radius when on-site, sub-surface sewage disposal is proposed.
9. Existing watercourses, floodplains, wetlands, wooded areas and other significant natural features. The boundary of the floodplain shall be shown utilizing the Flood Insurance Study and accompanying flood maps for

the municipality. If detailed information is not obtainable, the floodplain shall be generally located utilizing the best available data such as Corps of Engineers' Floodplain Studies or mapping of previous floods. The 100 year flood elevation shall be provided wherever the Flood Insurance Study is available, wherever feasible, or where new developments of more than 50 lots or five (5) acres, whichever is less, are involved.

10. Topographic contours at vertical intervals of a minimum of five (5) feet and datum and benchmark to which contour elevations refer. Topographic contours of less than five (5) foot intervals may be required on flat sites and development plans for intensive development. (The Township may waive the requirements for topographic contours in low density subdivisions involving no public water or sewer systems and where a site inspection provides sufficient information for approval.)
 11. Plan approval/signature blocks.
 12. Certification, with seal and original ink signature, by a registered professional land surveyor, to the effect that the survey and map are correct.
- B. Data to be Submitted with the Preliminary Plan

The following information, data, and documents shall be submitted with the preliminary plan:

1. Plan processing, review and inspection fees, if applicable.
2. Copies of proposed deed restrictions, if any.
3. Proof of record ownership showing that the applicant is the land owner.
4. Cross-sections and centerline profiles for each proposed street, and preliminary designs of proposed bridges and culverts, where applicable.
5. Sketch of proposed street layout for the remainder of the affected parcel where the preliminary plan covers only part of the subdivider's holdings.
6. Documentation, in accordance with Section 404 of this Ordinance, that the subdivider has adequately planned for sewage disposal, including preliminary designs of proposed sewerage systems, and, if required, feasibility studies.

7. Where appropriate, approval letters or permits issued by local water authorities or the PA Department of Environmental Resources, in accordance with Section 405 of this Ordinance, regarding proposed water supply systems, preliminary designs of such systems, and, if required, feasibility studies.
8. Such evidence as may be necessary or required by Section 407 of this Ordinance to show that effective soil conservation measures have been planned and are to be implemented in accordance with Title 25, Chapter 102 of the Rules and Regulations of the Department of Environmental Resources, or as hereafter amended, including a preliminary grading plan. (For further information concerning proper soil erosion and sedimentation control procedures, the subdivider or developer is referred to the Montour County Conservation District.)
9. A Stormwater Management Plan for the proposed subdivision in accordance with the requirements of Section 408 of this Ordinance.
10. If any portion of the proposed development is in a flood prone area, additional information concerning protection and use of this area shall be submitted as required by law or Section 409 of this Ordinance. Such information shall include assurances that all utilities and facilities, such as streets and sewer, gas, electrical and water systems are located and constructed to minimize flood damage, and that adequate drainage is provided so as to reduce exposure to flood hazards.
11. Where the land included in the proposed subdivision has a gas pipeline, a petroleum or petroleum products transmission line or power transmission line located thereon, a copy of the recorded document for such pipeline or transmission line may be required to be submitted to verify the location and width of said right-of-way.
12. Estimated costs of all proposed or required improvements. (See also Section 3 04.)
13. Other documentation and certificates of approval from the proper authorities as may be required by the Township, including but not limited to, PADOT Highway Occupancy Permits; determinations regarding wetland locations or delineations for specific sites; or letters from utility companies indicating their intent and ability to serve the proposed development.

FINAL PLANS

A. Final Plan Requirements

Final plans shall be either black and white or blue and white prints, drawn on 11" x 17", 18" x 24" or 24" x 36" sheets, and shall be prepared at a scale not to exceed 100 feet to the inch. When necessary, the plan may be placed on several sheets, accompanied by an index sheet showing the entire subdivision.

Final plans shall show the following data:

1. Title block, containing the name of the owner of the tract, municipality, date, scale, name and profession of the individual preparing the plan.
2. North arrow (USGS Grid North), perimeter boundary lines by bearings and distances which provide a survey of the area to be developed, closing with an error of not more than one (1) foot in 5,000 feet.
3. Proposed lot lines by their courses and distances showing bearings to the nearest second and distances to nearest one one-hundredth of a foot; acreage and dimensions of areas to be dedicated for public use; building setback lines; total number of parcels or dwelling units, including a numbering system to identify each lot; acreage of each lot; total acreage; and existing zoning classification.
4. Tract boundary sketch, showing the location of the proposed development in relation to the entire tract and showing the names of owners of all adjoining property and all adjacent subdivisions.
5. Location map, showing the relation of the tract to adjoining properties, the road and highway system and municipal boundaries, including an area extending at least 1/2 mile from the subdivision boundaries.
6. Location and width of all existing or proposed streets, rights-of-way, parking areas, driveways (as determined appropriate), and utility or drainage easements on or adjacent to the tract, including bearings and distances of rights-of-way and easements, right-of-way and pavement widths, and street names.
7. Location and size of existing and proposed sewers, water mains, culverts, buildings, transmission lines, fire hydrants, and other significant man-made features on or adjacent to the tract.

8. An indication of those areas not intended to be dedicated for public use.
9. Soil percolation test sites and/or deep test pit locations, and soils mapping or soil type information, as appropriate, except where public sewers are provided.
10. Proposed on-site well location and 100 foot well radius when on-site, sub-surface sewage disposal is proposed.
11. Existing watercourses, floodplains, wetlands, wooded areas and other significant natural features. The boundary of the floodplain shall be shown utilizing the Flood Insurance Study and accompanying flood maps for the municipality. If detailed information is not obtainable, the floodplain shall be generally located utilizing the best available data such as Corps of Engineers' Floodplain Studies, or mapping of previous floods. The 100 year flood elevation shall be provided wherever the Flood Insurance Study is available, wherever feasible, or where new developments of more than 50 lots or five (5) acres, whichever is less, are involved.
12. Topographic contours at vertical intervals of a minimum of five (5) feet and datum and benchmark to which contour elevations refer. Topographic contours of less than five (5) foot intervals may be required on flat sites and development plans for intensive development. (The Township may waive the requirements for topographic contours in low density subdivisions involving no public water or sewer systems and where a site inspection provides sufficient information for approval.)
13. Location and material of all permanent monuments and markers.
14. Plan approval/signature blocks.
15. Certification, with seal and original ink signature, by a registered professional land surveyor, to the effect that the survey and map are correct.

B. Data to be Submitted with the Final Plan

The following information, data, and documents shall be submitted with the final plan:

1. Corrected and updated material from the preliminary plan.
2. Plan processing, review and inspection fees, if applicable.

3. Copies of proposed deed restrictions, Right-of-Way Use and Maintenance Agreements, and deeds proposing dedication of improvements to the Township, where applicable.
4. Proof of record ownership showing that the applicant is the land owner.
5. Final cross-sections and centerline profiles for each street, and final designs of bridges and culverts.
6. Documentation, in accordance with Section 404 of this Ordinance, that the subdivider has adequately planned for sewage disposal, including final designs of sewerage systems.
7. Where appropriate, approval letters or permits issued by local water authorities or the PA Department of Environmental Resources, as required by Section 405 of this Ordinance, regarding proposed water supply systems, and final designs of such systems.
8. Such evidence as may be necessary or required by Section 407 of this Ordinance to show that effective soil conservation measures have been planned and are to be implemented in accordance with Title 25, Chapter 102 of the Rules and Regulations of the Department of Environmental Resources or as hereafter amended, including a final grading plan. (For further information concerning proper soil erosion and sedimentation control procedures, the subdivider or developer is referred to the Montour County Conservation District.)
9. Final designs of any stormwater control improvements, and related documentation required in accordance with Section 408 of this Ordinance.
10. If any portion of the proposed development is in a flood hazard area, additional information concerning protection and use of this area shall be submitted as required by law or Section 409 of this Ordinance. Such information shall include assurances that all utilities and facilities, such as streets and sewer, gas, electrical and water systems are located and constructed to minimize flood damage and that adequate drainage is provided so as to reduce exposure to flood hazards.
11. Other documentation and certificates of approval from the proper authorities as may be required by the Township, including but not limited to, PADOT Highway Occupancy Permits; determinations regarding wetland locations or delineations for specific sites; or letters from utility companies indicating their intent and ability to serve the proposed development.

12. Where appropriate, one of the following financial assurances for guaranteeing improvements. (See also Section 304 regarding Improvement Guarantees.)
 - a. a bond, certified check or other security satisfactory to the Township Supervisors and an executed Improvement Agreement; or
 - b. a certificate from the Township Engineer that the improvements have been inspected and found to be installed in accordance with specifications approved.
13. A copy of the arrangements made regarding ownership and maintenance of all dedicated and undedicated recreation or open space areas in the development, streets, parking lots, and stormwater management facilities.

LAND DEVELOPMENT PLANS

All proposed land development proposals shall conform to the requirements for preliminary and final plan submissions contained in Sections 202 and 203 of this Ordinance.

A. Land Development Plan Requirements

In addition to meeting the requirements of the above-referenced sections, such plans shall also show the following information.

1. Location and size of existing and/or proposed buildings.
2. Location of accessways, and parking, loading/unloading areas.
3. Location of all proposed pedestrian and vehicular circulation facilities and controls.

B. Data to be Submitted with Land Development Plans

The following additional documentation or data shall also be submitted with land development plans.

1. Cross-sections, showing the design of proposed accessways, parking, and loading/unloading areas.
2. A description of the purpose of the proposed land development in sufficient detail to provide an adequate basis for the Township to evaluate anticipated traffic, and/or employees, tenants, customers, or inhabitants.

ARTICLE 3.

PLAN PROCESSING PROCEDURES

PLAN REVIEW AND APPROVAL AUTHORITY

All plans of proposed subdivisions and land development in Valley Township, whether preliminary or final, shall be subject to approval, modification or rejection by the Township Board of Supervisors. Prior to action by the Supervisors however, all plans shall be submitted to the Township Planning Commission and County Planning Commission for their review, evaluation and recommendations. Copies of the plans may also be submitted to the Township Engineer, where applicable, and to other appropriate agencies for review at the discretion of the Township Planning Commission before recommendations are made to the Township Supervisors. (See plan processing details below and illustrated on the flow chart on Page 17.)

SKETCH PLANS (Optional)

Prior to the filing of an application for review and approval of a proposed subdivision or land development, it is recommended that the developer submit a sketch plan to the Township Planning Commission for advice on the requirements necessary to achieve conformity with the standards and other provisions of this Ordinance; as well as to alert the developer to other factors pertinent to the design and effectuation of the subdivision or land development. The submission of a sketch plan shall not constitute the filing of an application for approval of a plat.

The developer or his agent or representative shall be present to discuss any such proposal with the Township Planning Commission. No formal action will be taken on a sketch plan submission, but the Planning Commission shall, after review and evaluation of the proposal, indicate to the developer or his agent, their findings and recommendations regarding preparation of preliminary or final plans. The Planning Commission shall complete its review as promptly as possible.

PRELIMINARY AND FINAL PLANS

A. Plan Submission Requirements

1. Plans involving the installation of streets, sanitary sewers, public water supplies, stormwater management facilities and other improvements shall be considered as preliminary plans, unless a suitable performance guarantee or other financial assurance is filed with the Township Supervisors in accordance with Section 304 of

this Ordinance.

2. Where site improvements are not proposed by the subdivider, nor required by the Township, or where improvements have been installed in accordance with a previously approved preliminary plan, or an acceptable performance assurance has been filed with the Township Supervisors, the proposed subdivision plan may be considered as a final plan.
3. All major subdivision or land development proposals shall undergo both preliminary and final plan consideration. Minor subdivision or land development proposals need not undergo preliminary plan consideration, but may be submitted as final plans.
4. Preliminary plan submission requirements may also be waived by the Township Planning Commission where a subdivision or land development proposal consists of five (5) or fewer lots or dwelling units and has frontage along an existing public street right-of-way.
5. The final plan shall conform in all respects with any approved preliminary plan. Otherwise the plan submitted shall be considered as a revised preliminary plan.
6. It shall be the responsibility of the subdivider/developer to coordinate his plans with all appropriate public and private utilities and/or service agencies in the manner set forth in this Ordinance.

B. Plan Evaluation Process

Applications for preliminary or final plan review and approval shall be submitted and processed in accordance with the following procedures.

1. Application. Ten (10) copies of all proposed preliminary or final subdivision and land development plans and three (3) copies of all other materials and information required by this Ordinance shall be submitted to the Chairman of the Township Planning Commission no less than seven (7) days in advance of the next regular meeting of the Township Planning Commission at which the plan is to be considered. (A plan shall be considered filed upon receipt by the Commission Chairman of all required plans and materials, including plan processing, review and inspection fees.) Plans submitted less than seven (7) days before the next scheduled meeting of the Planning Commission will not be considered filed until the date of the next regular meeting of the Commission.

The Chairman of the Township Planning Commission shall,

upon receipt of a subdivision or land development plan proposed for either preliminary or final approval, check the submission for completeness. If incomplete, he shall immediately return the submission to the applicant/developer indicating the deficiencies.

2. Referrals. If the submission is complete, the Chairman of the Planning Commission shall distribute the plans as follows:

- a. Nine (9) copies of the plans and two (2) copies of the accompanying documentation shall be retained by the Township Planning Commission for their review, evaluation and recommendations, and
- b. One (1) copy of the plans and one (1) copy of the accompanying documentation shall be forwarded to the County Planning Commission for their review and recommendations. (Such review shall be completed within 30 days of the date of submission.) The County Planning Commission shall report its findings to both the Township Supervisors and Planning Commission.
- c. Where determined appropriate by the Township Planning Commission, copies of the plan shall be forwarded to the Township Engineer, Township Zoning Officer, the PA Department of Transportation, the PA Department of Environmental Resources, the County Conservation District, or officials from adjacent municipalities for additional input and comments. (A minimum of 14 days shall be provided for these reviews.)

3. Planning Commission Review and Action.

- a. At its first regular meeting following acceptance of a filed plan, the Township Planning Commission shall consider the subdivision or land development plan to determine its conformity to the design standards and plan requirements contained in this Ordinance. (The developer or his agent shall be present to discuss all such proposed plans with the Township Planning Commission, or action on the proposal may be tabled.) In addition, the Commission shall also consider any comments received from the County Planning Commission or other review agencies. The Commission shall then make recommendations for approval, disapproval or other appropriate action to the Township Supervisors.
- b. The Planning Commission shall forward its recommendations, along with all of the remaining copies of the plan, to the Township Supervisors for action. The Commission's recommendations shall be communicated

to the Supervisors either by letter or shall be noted on all copies of the returned plans. The letter or annotated plans or both shall be signed and dated by any three (3) members of the Planning Commission.

C. Plan Approval Process

1. Upon receipt of recommendations from the Township and County Planning Commissions, the Township Supervisors shall consider and take action on the proposed subdivision or land development plan at its next scheduled meeting. The Supervisors shall render a decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the Township Planning Commission next following the date that the plan is filed, provided that should the next regular meeting occur more than 30 days following the filing of the plan, the said 90 day period shall be measured from the 30th day following the date the plan is filed. Action shall be taken at an advertised meeting of the Board and shall require a majority vote.
2. The Township Secretary shall notify the applicant of the Township Supervisors * decision in accordance with the following procedure.
 - a. Within 15 calendar days after the Supervisors¹ meeting, the Secretary shall notify the subdivider or his agent, in writing, of the action taken by the Supervisors specifying what changes, or additions, if any, will be required prior to plan approval.
 - b. When the proposed plan is not approved, the decision shall specify the defects found and shall cite the provisions of the Ordinance which have not been met.
 - c. Failure of the Supervisors to render a decision and communicate it to the subdivider within the time and in the manner required herein shall be deemed an approval of the proposed plan, unless the applicant/ developer has agreed/ in writing, to an extension of the time period or change in the manner of presentation of communication of the decision.
3. The Supervisors' action shall be noted on all remaining copies of the plan and approved plans shall bear the signatures of a majority of the Board and the date of the action. One (1) copy of the approved plan shall be retained by the Township Supervisors for their files, one (1) copy shall be retained for the Township Planning Commission, and the other remaining copies shall be returned to the applicant.

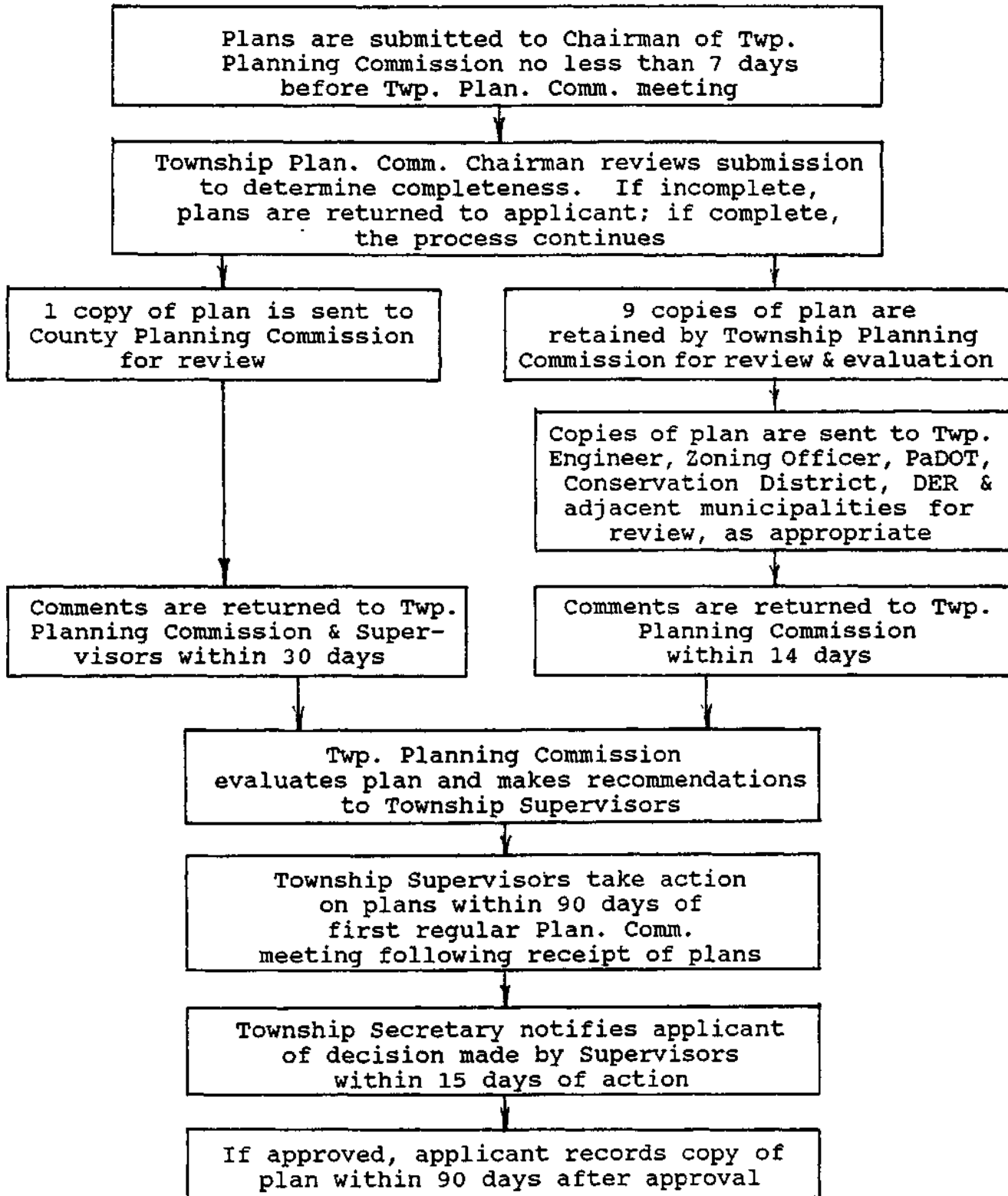
4. The Township Supervisors may grant final or preliminary plan approval subject to conditions acceptable to the applicant. Such conditions shall either be written on all copies of the subdivision plan and be initialed by the applicant indicating concurrence or the Supervisors shall produce a list of all such conditions within 15 days of the date of conditional approval and present such listing to the applicant for concurrence. Failure of the applicant to initial the plans or execute the list to indicate concurrence, as applicable, and return it to the Supervisors within 30 days of the conditional approval date shall nullify the approval granted. Plans shall not be signed by the Supervisors until receipt of the executed concurrence from the applicant.
5. The Township Supervisors may offer a mediation option as an aid in completing proceedings authorized by this Section. In exercising such an option, the Supervisors and mediating parties shall meet the stipulations and follow the procedures set forth in Section 908.1 of the PA Municipalities Planning Code, 53 P.S. Section 10908.1, as reenacted and amended in 1988, December 21, P.L. 1329, Act 170.
6. In order to facilitate financing, when requested by the developer, the Supervisors may furnish the developer with a signed copy of a Resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The Resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days unless a written extension is granted by the Supervisors; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

D. Effect of Preliminary Approval

1. Approval of the preliminary plan shall constitute approval of the subdivision or land development as to the character and intensity of development, and the arrangement and approximate dimensions of streets, lots, and other planned features. The approval binds the subdivider to the general scheme of the subdivision shown and permits the subdivider to proceed with final detailed design of improvements, and with preparation of the final plan. Approval of the preliminary plan does not authorize the sale of lots nor the recording of the preliminary plan, nor does it constitute approval of the final plan.

SUBDIVISION AND LAND DEVELOPMENT

PLAN PROCESSING PROCEDURES



2. The applicant shall have a period of five (5) years from the date of preliminary approval in which to submit a final plan(s) for the subdivision and/or substantially complete all aspects of the approved development. If the applicant fails to submit a final plan(s) within the said five (5) year period, the approval of the preliminary plan shall become null and void unless an extension of time is requested by the subdivider, in writing, along with a schedule for submission of the final plan, and is approved by the Township prior to the expiration date.
3. The final plan may be submitted in sections, each covering a portion of the entire subdivision or land development shown on the preliminary plan. However, each section in a residential subdivision or land development, except for the last section, shall contain a minimum of 25 percent of the total number of lots or dwelling units depicted on the preliminary plan, unless a lesser percentage is approved by the Township.

LAND DEVELOPMENT PLANS

- A. Plans involving the utilization of a single tract of ground for the development or location of one (1) or more non-residential structures or two (2) or more residential structures or dwelling units shall be considered, reviewed and evaluated as land development proposals. Such activities shall include the development or construction of:
 - 1", Industrial or commercial buildings or complexes;
 2. Multi-family dwellings, such as townhouses, apartments or condominiums; and
 3. Mobile home parks or other multi-family housing developments, including planned residential developments.
- B. Land development plans shall be reviewed and approved in accordance with the all plan submission, processing and approval procedures contained in Section 302 of this Ordinance. Final approval of a land development plan does not authorize the conveyance of lots, but may authorize the conveyance of individual dwelling units, i.e. condominiums.

INSTALLATION AND APPROVAL OF IMPROVEMENTS

A. General Requirements

1. Improvements required by the Township Supervisors may include streets, sanitary sewers, water supply systems, stormwater controls, utilities, or other such improve-

ments necessary to development of a site.

2. Improvements shall be installed by the subdivider prior to final plan approval, OR a suitable financial guarantee shall be provided which shall ensure installation of the improvements by the subdivider at the standards set forth in these regulations. The final plan shall not be approved until final detailed design of the improvements is approved and the improvements are installed and inspected and determined to be in a satisfactory state of repair, OR a suitable financial guarantee for installation and maintenance is provided. (See Appendix C for a sample Improvement Agreement form.)

B. Improvement Guarantee

1. In lieu of completion of any improvements required as a condition of final plan approval, the applicant shall file with the municipality, financial security as an improvement guarantee in the amount of 110% of the cost to install the improvements estimated as of 90 days after the date of scheduled completion of improvements. The cost of the required improvements shall be established by a qualified Professional Engineer selected by the applicant and submitted to the Supervisors for approval. The Supervisors may choose to reject such estimate for good cause shown.
2. If the developer and the Township Supervisors are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by a qualified Professional Engineer chosen mutually by the Supervisors and the developer. The estimate certified by this engineer shall be presumed fair and reasonable, and shall be the final estimate. In the event an engineer is so chosen, fees for the services of said engineer shall be paid equally by the Supervisors and the developer.
3. Should the completion of the required improvements require more than one (1) year, the Supervisors may increase the amount of financial security by an additional ten percent (10%) for each one (1) year period beyond the first anniversary date of the posting of the original security or to an amount not exceeding 110% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period.
4. If a development is projected over a period of years, the Supervisors may authorize submission of plans by stages, which shall be subject to such requirements or guarantees as the Supervisors deem essential for the protection of any finally approved section of the

development.

C. Release from Improvement Guarantee

1. As the work of installing the required improvements proceeds, the Supervisors may authorize the release to the developer of such portions of the security necessary for payment to the contractor or contractors performing the installation of required improvements. Any request for the release of such portions of funds shall be in writing to the Supervisors and the Supervisors shall have 45 days from receipt of the request within which to authorize their engineer to inspect and certify that the improvements to be covered by the funds have been completed satisfactorily. Upon such certification, the Supervisors shall authorize release, by the bonding company or lending institution, of the amount estimated by the municipal engineer which fairly represents the value of the completed improvements.
2. Under certain conditions the Supervisors may agree to other procedures for the release of portions of any posted financial security so long as the work has been done in accordance with the terms of plan approval.
3. When all necessary improvements have been completed, the developer shall notify the Supervisors in writing by certified or registered mail of said completion. The Supervisors shall, within ten (10) days after receipt of such notice, authorize an inspection by their engineer of the aforesaid improvements. A written report shall be filed by the municipal engineer with the Supervisors, and a copy mailed to the developer by certified or registered mail within 30 days after receipt of the Supervisors' inspection authorization. Said report shall indicate approval or rejection of the completed improvements.
4. The Supervisors shall notify the developer within 15 days of receipt of the engineer's report, in writing by certified or registered mail, of their action with respect to approval or rejection of the completed improvements.
5. If any portion of the completed improvements shall be found not satisfactory, the aforementioned written report shall contain a statement of reasons for rejection. The developer shall proceed to correct or complete those improvements and upon completion shall notify the Supervisors by those procedures contained in this Section.
6. Upon approval of the completed improvements, the Super-

visors shall release to the developer those funds remaining in the financial security deposit including all interest accrued thereunder. Prior to release of such funds, the developer shall guarantee to the Supervisors, in writing, the structural integrity of the improvements for a period of 18 months. (See also Section 304 E.2.)

7. Should the Supervisors or municipal engineer fail to comply with the time limitations as provided, all improvements will be deemed to have been approved and the developer shall be released from all liability pursuant to the financial guarantee agreement.

D. Remedies to Effect Completion of Improvements

In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accordance with the approved final plan, the Township Supervisors shall enforce any corporate bond, or other security or performance guarantee, by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Township Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by the security, and not any other municipal purpose.

E. Dedication of Improvements

1. Where the subdivider proposes to dedicate improvements to the municipality, a deed which dedicates the land and such improvements to the municipality shall be recorded with the final plan. A copy of the deed and a letter from the Supervisors stating their intention to accept ownership and maintenance responsibility for the improvements shall be submitted with the subdivision plan. The deed shall be free and clear of all liens and encumbrances.
2. Where the municipality accepts dedication of all or some of the required improvements, the Supervisors may require up to 15% of the actual cost of installation of said improvements for financial security to insure the structural integrity of those improvements for a term not to exceed 18 months from the date of acceptance of

dedication.

3. The Supervisors may approve a final plan without an offer of dedication of streets or other improvements, provided that such improvements are noted as private on the final plan. The subdivider shall also be required to provide a notice in each deed, lease, or conveyance setting forth an arrangement between the subdivider and buyer or lessee for maintenance.

PLAN RECORDING REQUIREMENTS

- A. Upon notification of approval of the final plan, the subdivider or developer shall record one (1) executed copy of the approved plan in the Office of the Montour County Register and Recorder within 90 days after approval. Should the subdivider or developer fail to record the final plan within the 90 day period, the approval of the Supervisors shall be null and void unless an extension of time is requested by the subdivider in writing and is granted in writing by the Supervisors before the expiration date. The final plans shall be filed with the County Register and Recorder before proceeding with the sale of lots or construction of buildings. Verification of such recording shall be submitted to the Township by the subdivider in order to complete the recording process. (Verification of Recording forms will be provided by the Township at the time of plan approval. See also Appendix E.)
- B. Recording of the final plan shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the subject land.
- C. Recording the final plan after approval shall have the effect of an irrevocable offer to dedicate all streets and other ways to public use, and to dedicate or reserve all park reservations and other public areas to public use unless reserved by the subdivider as hereinafter provided. The approval however, shall not impose any duty upon the municipality concerning maintenance or improvement of any such dedicated streets, parks, areas or portions of same until the Supervisors shall have made actual appropriation of the same by ordinance or resolution, or by entry, use, or improvement.

RESUBDIVISION PROCEDURES

For any replatting or resubdivision of land, the same procedure, rules, and regulations shall apply as prescribed herein for an original subdivision.

ARTICLE 4.

DESIGN AND CONSTRUCTION STANDARDS FOR REQUIRED IMPROVEMENTS

GENERAL STANDARDS

- A. The principles, standards, and requirements of this Article shall be applied by the Planning Commission and Supervisors in evaluating and reviewing proposed subdivision plans and shall be considered minimum standards. Where deemed appropriate or necessary to protect the public health, safety or welfare, the Planning Commission may recommend and the Supervisors may require more restrictive standards. Whenever other applicable regulations impose more restrictive standards, those regulations shall apply.
- B. Land subject to flooding, and land deemed by the Township to be uninhabitable because of other hazards to life, health or property such as excessive slopes, unstable soils or soils of inadequate weight bearing strength, or sites with very poor access shall not be plotted for residential occupancy, nor for such other uses as may increase danger to health, life or property, or aggravate the flood hazard.
- C. Subdivision proposals shall be generally consistent with the stated policies of the Valley Township Comprehensive Plan and shall comply with the Valley Township Zoning Ordinance and Zoning Map and any other ordinances or regulations hereafter adopted by the Township.
- D. New subdivisions shall be coordinated with all existing or proposed developments on adjacent properties.

BLOCKS. LOTS AND BUILDING SETBACK LINES

A. Blocks

The length, width and shape of blocks shall be determined with due regard to the provision of adequate sites for the type of buildings proposed, applicable municipal zoning requirements, topography, and the requirements for safe and convenient vehicular and pedestrian circulation.

B. Lots

- 1. All lots shall conform to the minimum requirements of the Valley Township Zoning Ordinance. The Township may require larger lot sizes where specific site conditions, such as excessive slope or marginally suitable soils, warrant.

2. Lot size, dimension and the placement of lots within blocks shall be such that they provide the largest amounts of usable open space for the users thereof; the most economical provision of services"; and, the most advantageous relationship with the site's natural topography and vegetation.
3. All lots shall abut a street or have access via a right-of-way no less than 50 feet in width, except in the case of a lot being added to and becoming a part of an adjacent existing lot.
4. In general, side lot lines shall be at right angles or radial to street lines. Lots located on cul-de-sac turnarounds or curves in the road may have lot widths of less than those required provided that the average of the front and rear lot lines is equal to or greater than the required lot width.
5. Double or reverse frontage lots shall be avoided, except where essential to provide separation of residential development from collector streets or to overcome topographic or orientation disadvantages. Where double or reverse frontage lots are permitted, a buffer yard of at least ten (10) feet, shall be provided along the side of the property adjacent to the thoroughfare, across which there shall be no right of access.
6. A parcel being subdivided for the purpose of being added to an existing, adjacent lot of record shall not be subject to the minimum lot size or soils testing requirements of this Ordinance, provided that a note indicating such addition status is placed on the plot plan and that the existing lot and the addition shall be combined into a single deed of record. If both parcels are described separately in the same deed, then a note shall be placed on the plan and in the deed indicating that the two (2) lots are to be considered as one for subdivision purposes. In this manner the purchaser is precluded from subsequent conveyance of the acquired addition without prior approval under the terms and conditions of this Ordinance. A copy of the proposed deed shall be submitted to the Township for review and approval along with the subdivision plans and must be recorded as required in Section 3 05 A.

C. Building Setback Lines

The minimum building setback lines shall be as designated in the Valley Township Zoning Ordinance.

STREETS AND DRIVEWAYS

A. Street Classification

1. The State Highway System includes all public streets and highways operated and maintained by the Pennsylvania Department of Transportation (PADOT).
2. The Municipal Street System includes all public streets and roads maintained by Valley Township. Subdividers proposing public dedication of streets within a subdivision shall submit road design and construction plans which meet the minimum specifications established by the Township as a part of the plan submission process. A deed which dedicates the land to be used as a public street to the Township shall be recorded with the final plan or upon completion of the street construction and approval of the Township Engineer.
3. Private streets include all streets not dedicated, accepted, and maintained as public streets. Private streets may be permitted where the following conditions are met.
 - a. A survey of the centerline of the private right-of-way shall be shown on the plot plans along with a notation identifying the street and right-of-way as being private.
 - b. The subdivider or developer shall provide a Right-of-Way Use and Maintenance Agreement in each deed, lease, or conveyance prescribing the right-of-way width and location and setting forth an arrangement between the subdivider and buyer or lessee for improvement and maintenance of the private right-of-way. A copy of any such Agreement shall be submitted for review and approval with the subdivision or land development plans. (See Appendix D.)
 - c. Where an existing private right-of-way is proposed to provide access to a new subdivision, the subdivider shall provide a Right-of-Way Use and Maintenance Agreement signed by all property owners using the right-of-way if such an Agreement has not previously been included in the existing deeds. This Agreement shall be recorded with the final plan and shall prescribe the right-of-way width and location in accordance with the standards of this Ordinance and set forth arrangements for maintenance of the private right-of-way. A copy of such proposed Agreement shall be submitted for review and approval along with the subdivision or land development plans and must be recorded as required in Section 305 A.

Access Permit Requirements

1. In order to protect the public safety, the Township Supervisors may require access onto a public or private street or highway to be situated at specific locations and shall require that location to be shown on the plot plans, in accordance with applicable PADOT and/or Township regulations or ordinances.
2. A Highway Occupancy Permit must be issued by the Pennsylvania Department of Transportation before construction of access onto any state highway can be initiated. Where any such access is proposed as part of a subdivision or land development proposal, the subdivider shall submit a copy of the Highway Occupancy Permit issued by PADOT to the Township prior to subdivision approval and the location of all such proposed intersections shall be placed on the plot plans.
3. A Driveway Permit shall be issued by the Township before construction of access onto a Township street or road may be initiated. Where deemed appropriate to protect public safety, Driveway Permits may also be required for the creation of new access points along private roads. In instances where such access is proposed as part of a subdivision or land development proposal, the subdivider shall include a copy of the Permit as a part of his plan submission and the location of all such proposed intersections shall be placed on the plot plans prior to approval. (See also Section 402 J.)

Street System

1. All subdivision plans shall extend or continue existing public rights-of-way at a width no less than required by the minimum specified by this Ordinance.
2. Local streets within a new development or subdivision shall be laid out to discourage through traffic. However, provision for the extension and continuation of streets into and from adjoining areas may be required.
3. Where a subdivision or land development abuts or contains an existing or proposed arterial or collector street, the Township may require marginal access streets, reverse frontage lots, or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the arterial or collector street, and separation of local and through traffic.
4. Where the lots in a development are large enough for resubdivision, or if a portion of the tract is not

subdivided, suitable access and street openings for such an eventuality shall be provided.

D. Street Design Standards

Minimum design standards for streets serving residential and non-residential developments are shown on TABLE 1, and are further detailed in the following Sub-Sections. (See also PADOT's Publication 70, Guidelines for Design of Local Roads and Streets, August 1990 and the illustrations in Appendix F of this Ordinance.)

1. In addition to the minimum right-of-way and cartway widths shown on TABLE 1, the following requirements may also be applied.
 - a. Provision for additional street right-of-way may be required by the Township for public safety and convenience, or for access to off-street parking in commercial and industrial areas and in areas of high density residential development.
 - b. Where a subdivision abuts an existing public street of inadequate width, additional right-of-way may be required to be reserved in accordance with the right-of-way width standards required in TABLE 1 of this Ordinance. In no case, however, shall the subdivider be required to reserve more than one-half of the additional right-of-way necessary if he abuts only one side of the road, nor shall he be required to dedicate said right-of-way without just compensation.
2. In addition to the minimum street grade and alignment standards shown in TABLE 1, the following requirements shall also be applied.
 - a. Whenever street lines deflect from each other at any point, connection shall be made by horizontal curves.
 - b. Vertical curves shall be used in changes of grade exceeding one percent (1%).
 - c. Proper sight distance shall be provided with respect to both horizontal and vertical alignments.
 - d. All streets shall be designed to provide for the discharge of surface water away from their right-of-way. The slope of the crown of any proposed street shall be 1/4 inch to 3/8 inch per foot for paved streets and 3/8 inch to 1/2 inch per foot for stabilized streets, except where super-elevated curves are used. Shoulder cross-slopes shall be 3/4 inch per foot.

E. Intersections

1. Streets shall be laid out to intersect as nearly as possible at right angles, and no street shall intersect any other at less than 60 degrees. Multiple intersections involving the junction of more than two (2) streets shall be avoided.
2. Where the grade of any private or public street exceeds six percent (6%) at the approach to an intersection, a leveling area shall be provided having a grade of less than or equal to four percent (4%) for a distance of 25 feet measured from the edge of the shoulder or curb of the intersecting street.
3. Road intersections shall be rounded with radii of 35 feet for local streets and 50 feet for collector streets.
4. Clear sight triangles of 75 feet measured along the centerline, shall be provided and maintained at all intersections. No significant obstructions or plantings (excluding necessary utility poles or street lights) higher than 30 inches or tree limbs lower than eight (8) feet shall be permitted within this area.
5. Intersections entering on opposite sides of the street shall be laid out directly opposite each other, or where permitted by the Township, shall be separated by at least 150 feet between centerlines.
6. Intersections on the same side of the street shall be separated by intervals of no less than 800 feet between centerlines.

F. Cul-de-sac Streets

For safety and road maintenance purposes, the use of cul-de-sac streets shall be limited, to the greatest extent possible. When used, cul-de-sac streets shall be designed in accordance with the standards provided in TABLE 1. The following standards shall also apply.

1. Cul-de-sac streets shall be provided with a turnaround and shall not exceed 500 feet in length or serve more than 10 lots or dwelling units, whichever is less.
2. Cul-de-sac turn-around areas shall be graded and surfaced in the same manner as the street.
3. All dead-end streets shall be provided with a cul-de-sac turnaround.

4. Easements shall be required at the terminus of cul-de-sac streets, as appropriate, to provide for the eventual connection of such streets to streets in an adjoining subdivision or land development.
5. Any street dead-ended for access to an adjoining property, or because of authorized, staged development shall be provided with a temporary turnaround with a stabilized surface and an outside right-of-way diameter of at least 100 feet. (The specific time period allotted for such temporary construction shall be established in an Agreement between the Township and the developer.)
6. Innovative alternatives to the standard circular turnaround may be considered where area equivalent to the requirement for turnarounds in TABLE 1 is provided.

G. Street Construction Standards

Minimum construction standards for public and private streets serving residential, commercial and industrial development are shown on TABLE 2, and are further detailed in the following Sub-sections.

1. All streets proposed for dedication to the municipality shall meet the requirements set forth by the Township Supervisors for municipal roads at the time of dedication. A complete set of "as-built" plans shall be provided to the Township by the developer prior to Township acceptance of any roadway and/or related installations.
2. Streets shall be surfaced to the grades and dimensions shown on plans, profiles, and cross-sections submitted by the subdivider or developer and approved by the Township. Before finalizing the installation of the street surface, the subdivider shall install the required utilities and provide adequate drainage facilities for the streets in accordance with the requirements of Section 402 H. below.
3. The pavement sub-base, base, and wearing surface for residential, commercial and industrial developments shall be constructed to the specifications contained in TABLE 2. (See also PADOT's Publication 70, Guidelines for the Design of Local Roads and Streets, August 1990.) In addition, all components of the pavement structure shall meet the standards outlined in PADOT's Publication, Form 408. (See Illustrations I & II in Appendix F. for typical cross-section.)
4. Street shoulders shall be constructed to a compacted depth equal to the depth of the base and wearing

TABLE 1.

MINIMUM DESIGN STANDARDS
FOR PUBLIC AND PRIVATE STREETS

	Collector Streets	Local Streets ¹	Private Streets ^{2, 3}
<u>General</u>			
Minimum Right-of-Way Width	60 ft.	50 ft.	50 ft.
Minimum Cartway Width (with curbs)	30 ft.	24 ft.	
Minimum Cartway Width (without curbs)	24 ft.	20 ft.	16 ft.
Minimum Shoulder Width (each side-no curbs)	6 ft.	6 ft.	4 ft.
<u>Cul-de-Sac Turnaround</u>			
Right-of-Way Diameter	-----	100 ft.	100 ft
Cartway Diameter	-----	80 ft.	80 ft
<u>Street Grades</u>			
Maximum Grade	6 %	10 %	12 %
Minimum Grade	0.75 %	0.75 %	-----
<u>Minimum Sight Distance at Road Intersections</u>			
	300 ft.	200 ft.	150 ft
<u>Minimum Curve Radius at Centerline</u>			
	300 ft.	150 ft.	-----

¹ If alleys or services drives are proposed, they shall have a minimum right-of-way width of 20 feet.

² These standards shall apply to private streets serving three (3) or four (4) lots or dwelling units.

³ Private streets serving five (5) or more lots or dwelling units shall be designed and constructed to the standards outlined for local streets.

surface. The finished surface elevation of the shoulder shall meet the finished elevation of the edge of the cartway. For all proposed collector or local streets, shoulders shall extend six (6) feet beyond the finished width of the cartway, on each side of the roadway, unless curbs are provided.

5. In instances where access to a subdivision is proposed via a private right-of-way, the following construction standards shall apply.
 - a. Private streets serving one (1) or two (2) lots or dwelling units need not be constructed to meet specific construction standards, but shall provide a minimum right-of-way width of 50 feet.
 - b. Private streets serving three (3) or four (4) lots or dwelling units shall be constructed to the standards outlined in TABLE 2.
 - c. Private streets serving five (5) or more lots or dwelling units shall be constructed in accordance with the standards for local streets contained in TABLE 2.
 - d. Existing private streets proposed as access to a new subdivision or development must be constructed with a stabilized, all-weather driving surface and be reasonably smooth and free from mud, dust and standing water. An independent engineering analysis, paid for by the subdivider or developer, may be required by the Township to evaluate the capability of the existing road to accommodate the projected additional use generated by the proposed development.

H. Curbs and Drainage Swales

1. Curbs. Curbs may be required along all streets located within multi-family residential, commercial, or industrial developments; in all subdivisions having a typical lot width of 100 feet or less; and where a new subdivision or land development abuts an existing development using curbs, or where determined appropriate by the Township. Curbs may be either the vertical or mountable type. However, the mountable variety may not be used on collector or arterial streets. The transition from one type of curb to another shall be affected only at a street intersection. Where required, curbs shall be designed and constructed to conform to all PADOT standards and shall provide access for the handicapped.
2. Drainage Swales. In areas where curbing is not used, stabilized drainage swales shall be provided along all

TABLE 2.
CONSTRUCTION STANDARDS
FOR PUBLIC AND PRIVATE STREETS

Street Type ¹	Course Material ²	Type of After Compaction ³	Depth of Mat'l
Collector and Local Streets	Wearing Surface Binder Base Sub-base ⁴	ID-2 ID-2 2A Stone	1 inch 2 inches 9 inches
Private Streets (serving 3 or 4 lots or d.u.'s) ⁵	Wearing Surface Base Sub-base ⁴	2RC or equiv. Sub-base	4 inches 6 inches

¹ Arterial streets shall be designed and constructed in accordance with all applicable PADOT standards.

² All components of the pavement structure shall meet the requirements of PADOT's Publication, Form 408. (See also PADOT Publication 70, Guidelines for the Design of Local Roads and Streets, August 1990.)

³ Compaction shall be by a 10 ton vibratory roller or equivalent.

⁴ The sub-base shall extend six (6) inches beyond the finished width of the cartway on each side to provide necessary support for the wearing surface and shall be at the same depth as the sub-base material.

⁵ Private streets serving five (5) or more lots or dwelling units shall be constructed to standards for local streets.

new streets to avoid erosion and control run-off. These drainage swales, along with other drainage facilities, shall be designed to handle the runoff from the proposed development and areas of the drainage basin already accommodated. At a minimum the following specifications shall be met.

- a. The side slope shall be a maximum of 2:1 horizontal to vertical ratio, 3:1 or flatter slope being desirable.
- b. There shall be a rounded area with a cross-sectional dimension of two (2) feet at the point of intersection of the shoulder and side slope.
- c. The minimum depth of the swale shall be one (1) foot below the outer edge of the shoulder.
- d. The bottom of the swale shall have a rounded area with a cross-sectional dimension of four (4) feet.
- e. The minimum and maximum gradient of the drainage swale shall be .75% and 12% respectively.
- f. The swale shall be sodded, seeded or otherwise stabilized to avoid erosion problems as follows. Any portion of a swale which is over 5% gradient shall have its bottom rounding area lined with stone to a depth below the finished grade equal to one and one-half (1 1/2) times the average size of the largest stone used. For swales of 5% gradient, at least 25% of the stone used shall be eight (8) inches or larger, 75% may be less than eight (8) inches in size. For swales of 12% gradient, at least 25% of the stone used shall be 19 inches or larger in size. Drainage swales having a gradient between 5% and 12% shall use stones which are proportionately larger than the eight (8) inch stone used for the 5% gradient swale.

Where driveways cross a drainage swale, a drainage pipe of adequate size shall be installed underneath the driveway to handle the runoff. The Township Supervisors shall approve or disapprove the proposed pipe size and length.

I. Street Verge

1. Sidewalks. Sidewalks shall be required in residential and commercial areas or where the character of the area, in the opinion of the Township, warrants. Sidewalks shall commence one (1) foot inside the right-of-way line and extend toward the curblin or edge of the cartway. Sidewalks shall be at least four (4) feet in width and

shall be constructed of reinforced concrete at least four (4) inches in depth. Where driveways cross over sidewalks, sidewalks shall be a minimum of six (6) inches in depth. Sidewalks shall also be ramped at corners to provide access for the handicapped.

2. Street signs. Street signs shall be placed at all intersections and their design shall be approved by the Township.
3. Street Names. Names proposed for new streets shall not duplicate or resemble closely an existing street name. Proposed streets in obvious alignment with others already existing and named, shall be given the name of the street they continue. All proposed street names shall be approved by the Township and Post Office, where necessary.
4. Street Lights. When street lights are being proposed or are required by the Township, the developer shall make the necessary arrangements with the utility company involved; provided however, that whether or not street lights are initially installed, the developer shall be responsible for providing utility easements for future street lighting installations.
5. Street Trees. Within subdivisions or land developments containing ten (10) or more lots or dwelling units, street trees shall be planted along all streets, where suitable trees do not exist. Street trees shall be planted at intervals of 45 feet or shall be planted in an informal arrangement. Trees shall not be planted opposite each other nor be located closer to an intersection than 75 feet. Where the planting strip between the curb and the sidewalk is less than six (6) feet in width, street trees shall be planted on the lots. The type of trees proposed for street planting shall be reviewed and approved by the Township on a case by case basis.

J. Driveways

1. All proposed lots or land developments shall be situated in such a fashion so that safe driveway access onto a public or private road can be provided. Safe driveway access shall be defined as that portion of a property on which a driveway can be constructed in accordance with the minimum guidelines contained in TABLE 3. (See also Illustrations III & IV in Appendix F.)
2. The grade of all driveway intersections must match the grade of the intersecting street at its right-of-way line.

TABLE 3.

DRIVEWAY DESIGN GUIDELINES

Type of Development	Min. Width	Max. Grade ¹	Min. Curb Radius ²	Min. Intervals ³	Min. Sight Distance ⁴
Single-Unit Residential	12 ft.	15%	10 ft.	40 ft. ⁵	150 ft.
Multi-Unit Residential ⁶	20 ft. ⁷	12%	15 ft.	50 ft.	200 ft.
Non-Residential	20 ft. ⁷	10%	15 ft.	50 ft.	300 ft.

¹ All driveways shall provide a stopping or leveling area having a grade less than or equal to 4% for a distance of 25 feet measured from the edge of the shoulder or curb of the intersecting street. The leveling area shall intersect the street or road at an angle of no less than 60 degrees and preferably 90 degrees.

² Where dropped curbs are used to provide driveway access, the minimum width of the dropped curb shall be 20 feet for single-unit residential uses and 35 feet for multi-unit residential and all non-residential uses.

³ Minimum intervals for all types of development shall apply between any two points of access, including both driveways and public streets.

⁴ Minimum sight distance shall be measured from the point of intersection of the driveway centerline and the street right-of-way line to a point on the cartway centerline. No significant obstructions or plantings higher than 30 inches above street grade or tree limbs lower than eight (8) feet shall be permitted within this area.

⁵ The Township may require common driveways where such is deemed appropriate for safety reasons.

⁶ For the purposes of driveway design, the multi-unit residential design criteria shall be used for driveways providing access to five (5) or more dwelling units.

⁷ Additional cartway width may be required by the Township, as deemed appropriate, to accommodate the safe movement of vehicles into and out of a facility.

3. In a situation where significant potential safety hazards exist, such as excessive slope or areas of extremely limited sight distance, the Township may require, prior to granting final subdivision approval, that:
 - a. the subdivider construct the driveway access in accordance with the guidelines contained in TABLE 3; or
 - b. a deed restriction be placed on the future use of the lot requiring the guidelines to be complied with when a driveway is proposed for construction.
4. The appropriate municipal Driveway Permit or State Highway Occupancy Permit shall be issued by the Township or PADOT before a Township Building/Zoning Permit is issued for construction to begin on any site.
5. The standards provided in TABLE 3 are intended as guidelines and shall be utilized to the greatest extent possible in every instance. However, where deemed appropriate by the Township, lesser or greater standards may be approved.

OPEN SPACE REQUIREMENTS

- A. Where a proposed subdivision or land development contains 25 or more lots or dwelling units, the Township may require the reservation and/or dedication of up to five percent (5%) of the total area of the proposed development for the common use of all residents of the development. This requirement may be waived by the Township where the average lot size in a subdivision or land development is greater than 1/2 acre.
- B. Any open space required by the Township shall be suitable for varied outdoor uses, including recreational activities. Such open space shall be located so as to be easily and safely accessible from all areas of the subdivision and shall be free of safety and health hazards. Portions of the area to be used for recreational purposes shall have suitable physical characteristics for varied recreational use, including well-drained soils, gentle topography, and suitable shape and size.
- C. Where common open space is provided, the subdivider shall submit, with his subdivision or development plans, a proposal which provides for the maintenance and ultimate ownership of such space. Where such open space is not dedicated to the Township or where such dedication is not accepted by the Township, an Agreement which assigns maintenance responsibilities for the open space and/or

recreational facilities shall be recorded with the final plan and referenced in the deeds of each parcel within the development.

Such Agreement shall include provisions or arrangements sufficient to address at least the following issues with respect to any association or organization that is established to oversee such maintenance:

1. Powers and duties in: maintaining and administering open spaces and recreation facilities, administering and enforcing all covenants and restrictions, and in the levying, collecting and disbursing of assessments and charges;
2. Membership and voting rights;
3. Establishment of bonds as required to guarantee the initial construction and installation of all recreation facilities within the open space areas; and
4. Rights and duties of the Township, members of the organization and other residents of the proposed development in the event of breach of any covenant or restriction.

SEWAGE DISPOSAL FACILITIES

All subdivisions and land developments shall be provided with adequate sewage disposal facilities. It shall be the responsibility of the developer to make the necessary arrangements and/or conduct the appropriate tests to determine that such facilities can or will be provided to handle the sewage generated by his development in accordance with the following standards.

A. General Requirements

In general, the method of sewage disposal shall be determined by the Township Supervisors, giving consideration to the following order of preference:

1. Connection to a public sanitary sewer system in accordance with the requirements of the PA Department of Environmental Resources, all rules and regulations of the Valley Township Municipal Authority, and any Township Ordinance;
2. Provision by the developer of a complete private sanitary sewer system using a treatment plant, designed and constructed in accordance with the requirements of the PA Department of Environmental Resources;

3. Sewage disposal on individual lots in accordance with the requirements of the PA Department of Environmental Resources.

The judgment of the Township Supervisors as to the method of waste disposal to be used will be made after study and review of a sewage feasibility report submitted by the developer. Feasibility studies may be required for all subdivisions or land developments involving 25 or more lots or dwelling units or in any other case where the Township deems it necessary. The submission of such a report may be waived by the Township when such is not deemed necessary. When required however, such report shall be prepared by a registered professional engineer or other qualified individual.

B. Planning Requirements

1. All proposed subdivisions shall have appropriate soils testing performed by the Township Sewage Enforcement Officer in accordance with State standards, unless connection to or provision of a sanitary sewer system is proposed by the developer. The location of all test pit and percolation test sites shall be marked on the subdivision plot plan.
2. Documentation which demonstrates that the subdivider has adequately planned for sewage disposal within the proposed subdivision must be submitted with the subdivision plan, whether preliminary or final, as follows.
 - a. For subdivisions of ten (10) lots or less proposing on-site, sub-surface sewage disposal, a completed DER Planning Module Component I, which indicates that the soils of the site are generally suitable, and is signed by the Township's Sewage Enforcement Officer, shall be required. In addition, an indication that approval has been given by the Department of Environmental Resources for the Module shall also be required.
 - b. For subdivisions proposing on-site, sub-surface sewage disposal on more than ten (10) lots, community sewage treatment, stream discharge, or municipal sewer extension, a completed copy of the appropriate DER Planning Module component(s) and an indication that approval has been given by the Department of Environmental Resources for the proposed revision to the Township's Official Sewage Facilities Plan shall be required.
3. Soils testing shall be required to be performed for all subdivisions proposing the use of individual, on-site

sewage disposal systems prior to plan approval. Waivers to this requirement may be granted if the subdivider has proven, to the satisfaction of the Township, that the subject land is undevelopable or has no potential for development.

If soils testing indicates that the soils of the subject site will not accommodate an on-site, sub-surface sewage disposal system, the Township may approve the proposed subdivision with the condition that the site not be developed until such time as further testing would locate a suitable location for such a system or until a public or municipal sewage system is provided.

C. Sanitary Sewer System Design and Construction Requirements

1. Where extension to an existing sanitary sewer system or construction of a new sewer system, either public or private, is proposed, the subdivider or developer shall provide the Township with plans prepared by a registered professional engineer and a letter of certification indicating that the proposed facility has been designed in accordance with the standards of the Department of Environmental Resources or a copy of the DER approved Water Quality Permit for the facility. Where an existing sanitary sewer is to be extended, the developer shall also submit a letter from the appropriate sewer authority approving the plans for the proposed extension and indicating their intent to serve the development.
2. Following construction, the developer shall provide the Township with an approved inspection report from the Department of Environmental Resources or other qualified engineer which indicates that the sewage disposal facility has been installed according to the terms of the Water Quality Permit. The Township reserves the right to retain an independent registered professional engineer to certify that the sewage facility has been properly constructed or installed. The subdivider or developer shall reimburse the Township for all reasonable expenses charged by the engineer for such inspection in accordance with the procedure established in Section 605 of this Ordinance.
3. Provision for the maintenance of all private sanitary sewer systems using a treatment plant shall be made by the developer and furnished to the Township and the Department of Environmental Resources for review and approval.

WATER SUPPLY

All subdivisions and land developments shall be provided with

a safe, adequate and potable water supply. It shall be the responsibility of the subdivider or developer to provide such service and/or supply each lot or dwelling unit in his development utilizing one of the following methods.

A. Public Water Systems

1. Subdivisions and land developments shall be connected to new or existing public water systems unless the developer shows that such connection is not feasible. The Township may require the developer to submit a feasibility study prepared by a registered professional engineer or other qualified individual to show that the use of a public water system is not feasible. If such connection is determined to be infeasible, then each lot of the subdivision shall be provided with an individual, privately-owned, on-site water supply system. (See sub-part B. below.)
2. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, developers shall present evidence to the Township that water is to be supplied to the subdivision by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the PA Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.
3. New public water systems which are proposed to service new land developments shall be designed and constructed in accordance with the regulations of the PA Department of Environmental Resources. The developer shall submit to the Township a copy of the appropriate DER approval letter or permit for construction and operation of the new public water system as a part of his subdivision or development plan submission.
4. Extensions to existing water systems which are proposed to service new land developments shall be designed and constructed in accordance with the regulations of the PA Department of Environmental Resources. The developer shall submit to the Township a letter from the appropriate water authority approving the plans for the proposed extension to the existing system and indicating their intent to serve the development. In addition, the developer shall also submit a letter of approval for the proposed system extension from DER.
5. Fire hydrants shall be provided as an integral part of

any public water supply system and shall be placed at such locations as are deemed appropriate, based on the type of development proposed.

B. Non-Public Water Systems

1. Where determined appropriate by the Township, a PA Department of Environmental Resources¹ approval letter or permit for the construction and operation of a non-public water system proposed to service a new land development may be required.
2. Where groundwater problems are known to exist, or where anticipated levels of development may result in water supply problems, the Township may require the developer to demonstrate that a reliable, safe and adequate groundwater supply exists to support the water usage demands of the proposed subdivision without detrimental effects upon existing adjacent water wells. The standards set forth in the Safe Drinking Water Act and other appropriate DER regulations shall apply.

UTILITIES

- A. When easements are required for utilities, the minimum width shall be as required by the utility companies (but shall not be less than 15 feet), and to the fullest extent possible, the easement shall be centered on or be adjacent to rear or side lot lines or be adjacent to the street right-of-way line. Local utility companies shall be consulted by the developer when locating easements.
- B. The location, width, and purpose of all utility easements shall be shown on all subdivision or development plot plans.
- C. Telephone, electric, television cable and other such utilities shall be installed underground in accordance with the PA Underground Utilities Act (Act 287 of 1974). Underground installation of utilities shall not be required:
 1. in subdivisions of less than five (5) lots bordering an existing right-of-way served by overhead utility lines, or
 2. where utilities are proposed to service commercial or industrial properties, or
 3. where a variance to the requirements of Act 287 has been granted by the Public Utilities Commission.
- D. Underground installation of the utility distribution and service lines shall be completed prior to street paving and

storm drainage, curbing and sidewalk installation. All street rights-of-way and other easements where utility lines are to be installed shall be graded to within six (6) inches of final grade before trenches are excavated.

- E. Letters of intent to provide service for the proposed subdivision or land development from all appropriate utility companies shall be submitted to the Township by the developer as a part of his subdivision or development plan submission.
- F. The Township may require the installation of utilities prior to final approval where the cost of installation, including the cost of excavation for underground utilities, will not be completely paid by the utility company. In each case, the Township shall also consider the procedures of the applicable utility company involved for the extension of utility service to lots within a subdivision.

EROSION AND SEDIMENTATION CONTROL

- A. No changes shall be made in the contour of the land and no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced until adequate provisions are made for minimizing soil erosion and sedimentation and an Erosion and Sedimentation Control Plan is prepared and approved as provided below.
- B. For the purposes of this Ordinance, a complete Erosion and Sedimentation Control Plan as outlined in the current edition of the Erosion and Sediment Pollution Control Program Manual, developed by the Bureau of Soil Conservation of the Department of Environmental Resources, shall be prepared by a professional engineer or other qualified individual for subdivisions or land development proposals where:
 - 1. a minimum of 1/2 acre will be disturbed to develop the site (including dwelling construction, driveway and sewage system installation, etc.);
 - 2. improvements are involved;
 - 3. major earthmoving activities are proposed;
 - 4. disturbance of steep or severe slopes is proposed;
 - 5. development is proposed adjacent to a stream bank;
 - 6. the proposal involves any non-residential use; or
 - 7. where such is deemed appropriate by the Township.

- C. All such Erosion and Sedimentation Control Plans shall be submitted to the Township along with preliminary or final subdivision or land development plans, as appropriate. A copy of the Plan shall then be forwarded to the Montour County Conservation District, and as necessary, to the Township Engineer or Department of Environmental Resources, for review and concurrence prior to approval of the proposed subdivision or land development.

STORMWATER MANAGEMENT

The management of stormwater from a site, both during and after any subdivision or land development, shall be accomplished in accordance with the standards and requirements of the PA Stormwater Management Act (Act 167-1978). The provisions of this Section are intended to provide protection against uncontrolled stormwater run-off, and to assure that downstream property owners and water courses are not adversely affected by increases in stormwater run-off resulting from a subdivision or land development.

A. General Requirements

1. A Stormwater Management Plan meeting the criteria outlined in this Section shall be prepared by a registered professional engineer or other individual of demonstrated capability for all subdivision or land development proposals where:
 - a. streets or other related improvements are proposed which will increase the total impervious area of the tract;
 - b. slopes of the site or adjacent areas could contribute to accelerated stormwater run-off as the lot (s) within the proposed subdivision are developed;
 - c. areas of poor drainage or stormwater run-off problems are known to exist within, directly adjacent to, or immediately down gradient from the proposed subdivision.
2. All subdivision and land development proposals shall meet the requirements of any Watershed Stormwater Management Plans in effect in the Township or as may hereinafter be enacted.
3. Stormwater Management Plans shall be submitted to the Township along with preliminary and final subdivision or development proposals, as appropriate. A copy of the Plan will then be forwarded to the Montour County Conservation District, and as necessary, to the Township Engineer or the Department of Environmental Resources,

for review and concurrence prior to approval of the proposed development. All such Plans shall meet the minimum standards suggested by the Conservation District and/or Township Engineer.

B. Plan Requirements

1. A Stormwater Management Plan for a proposed subdivision or land development shall include a brief description of the following:
 - a. existing drainage patterns and stormwater run-off characteristics of the site, including any existing drainage or stormwater run-off problems and facilities;
 - b. the anticipated impact that future development of the property will have on existing stormwater run-off and drainage patterns; and,
 - c. the type of structural and nonstructural improvements planned to control post-development stormwater run-off.
2. The proposed location of both structural and nonstructural improvements shall be shown on the subdivision or development plot plans. The Township may also require the subdivider to provide topographic contour information at two (2) foot intervals on the plot plans in order to better evaluate the proposed stormwater management techniques and/or facilities.
3. Separate, detailed specifications, including cross-sections, profiles, etc. shall be submitted for all proposed structural stormwater management improvements, such as retention and/or detention basins.
4. The subdivider shall also submit a proposal for ownership and maintenance of all proposed stormwater management improvements within his development, in accordance with the following provisions.
 - a. Where the subdivider proposes to dedicate such improvements to the Township and the Township has agreed to accept the ownership and maintenance responsibilities thereof, a deed which dedicates the land to be used for the stormwater management improvement to the Township shall be submitted as a part of the Stormwater Management Plan. If approved by the Township, the deed of dedication shall be recorded with the final subdivision or development plan. A complete set of "as built" plans shall be provided to the Township by the developer prior to

acceptance of any such facilities.

- b. Alternately, where no municipal participation is anticipated, an Ownership and Maintenance Agreement, specifying ownership and assigning maintenance responsibilities for the proposed improvements to either the developer or property owners within the subdivision, shall be recorded with the final subdivision or development plan and referenced in the deeds for each property within the subdivision. (See also Section 403 C.)

C. Design Standards

1. Stormwater management facilities shall be designed so that the peak rate of run-off from any development or subdivision shall be no greater than the peak rate of run-off from the site in its pre-development condition. For the purposes of this Ordinance, the pre-development condition shall be considered as grassland in all cases. The Township Engineer may however waive or modify this requirement based upon the condition of specific sites.
2. Improvements to control drainage and stormwater run-off within a subdivision or development shall be designed to increase the amount of water which infiltrates into the soil, and to control the rate of run-off released off-site through temporary storage of stormwater on-site. Such improvements may include, but are not limited to, deed covenants which restrict the allowable amount of impervious surface for each lot, the provision of drainage easements, seepage pits, swales and detention and retention basins.
3. All drainage and stormwater management facilities shall be designed to adequately handle surface run-off and carry it to a suitable outlet. Such facilities shall be designed in accordance with the Rational Method of Design developed by the American Society of Civil Engineers, Manual No. 37; the U.S. Agriculture Soil Conservation Service Technical Release No. 55, Urban Hydrology for Small Watersheds; or other technical methodology acceptable to the Township and/or its Engineer.
4. Where existing storm sewers are reasonably accessible and of adequate capacity, subdivisions and land developments shall connect to the existing system, subject to approval of the authority having jurisdiction over the system.
5. Where a subdivision or land development is traversed by a water course, drainageway, channel or stream, a drainage easement conforming substantially with the line of

such water course shall be provided. The drainage easement shall be such width as will be adequate to preserve the unimpeded flow of natural drainage; or for the purpose of widening, deepening, relocating, maintaining, improving or protecting such drainageways or for the purpose of protecting such water course for the purpose of stormwater management or installation of a stormwater sewer.

FLOODPLAIN MANAGEMENT

The management and regulation of subdivision or development in identified floodprone areas of the Township shall be accomplished in accordance with the standards and requirements of the National Flood Insurance Program and the PA Floodplain Management Act (Act 166-1978) . The provisions of this Section are intended to protect property owners from increased flood hazards resulting from inappropriate development of the floodplain, and to protect potential buyers from purchasing land which may not be suitable for development.

A. General Requirements

1. Subdivision and land development proposals for properties located in an identified floodplain area must comply with the requirements of the Township's Floodplain Management regulations contained in the Valley Township Zoning Ordinance.
2. Land areas susceptible to flooding shall be identified using the most current National Flood Insurance Program mapping, prepared by the Federal Emergency Management Agency (FEMA) , for the Township. In areas of the Township where detailed flood mapping is not provided by FEMA, the best available elevation and floodway information from Federal, State, and other acceptable sources shall be used to determine the flood hazard area.
3. For the purposes of this Ordinance, the regulatory flood or that flood which defines the regulatory floodplain shall be the 100 year flood.
4. Subdivision and land development proposals for property located within the floodplain may be approved by the Township, with the stipulation that any planned or future development of the property shall comply with the elevation and floodproofing requirements contained in the Article 6 of the Valley Township Zoning Ordinance, adopted June 12, 1991.
5. The Township may require the subdivider, as a stipulation of subdivision or land development approval, to include a notice on the plot plans and in every deed

stating that the subdivision is located in a floodplain and that development of lots within the subdivision must occur in accordance with all Federal, State and municipal floodplain management regulations.

B. Plan Requirements

1. All plans for subdivision or development of property located within an identified floodplain must show the location of the 100 year floodplain boundary and the location of the floodway, if available, according to the most current National Flood Insurance Program flood mapping for the Township.
2. Where applicable, and as may be required by the PA Department of Community Affairs, a copy of a Special Permit application shall be submitted to the Township for evaluation along with the subdivision or land development plans.

C. Design Standards

All subdivisions or land developments proposed to be located within any identified floodplain area shall be designed in accordance with the standards contained in Article 6 of the Valley Township Zoning Ordinance, adopted June 12, 1991.

WETLANDS

- A. No subdivision or land development plan shall be approved by the Township where wetlands are known or are expected to exist until sufficient determination has been made regarding the actual existence and location of such areas. Wetland determinations and delineations shall be made utilizing the National Wetland Inventory Maps for Valley Township and/or shall be located by a professional engineer or other individual of demonstrated capability, such as an environmental specialist.
- B. Specific wetland delineations shall be shown on the subdivision or land development plot plans and any additional information or determinations shall be submitted to the Township along with the preliminary or final subdivision or land development plans, as applicable. Subdivision approval may be granted for developments including wetlands, but such approval shall prohibit construction within these areas.
- C. A statement shall be placed on all plot plans involving wetlands indicating that the landowner shall be responsible for locating such wetland areas and indemnifying the Township against any and all liability arising therefrom.

D. Construction within wetland areas of the Township shall not be permitted unless such development can comply with Section 404 of the Federal Clean Streams Act and Section 105 of the State Regulations for Bodies of Water within the Commonwealth. (Permits to meet both sets of requirements can be applied for using a joint application.) Building Permits shall not be issued by the Township until both the Federal and State regulations have been met.

MONUMENTS AND MARKERS

Monuments and markers shall be constructed and located as provided below and shall be set by a registered professional land surveyor prior to final plan approval.

A. Material and Size

Monuments and markers shall be constructed and shall be of such size as follows:

	<u>Construction</u>	<u>Minimum Size</u>
Monument	Concrete or Stone	4" x 4" x 30"
Marker	Iron Pipes or Iron or Steel Bars	3/4" x 30"

B. Placement; Marking

Monuments and markers must be placed by a registered professional land surveyor so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. The top of the monument or marker must be level with the surface of the surrounding ground. Monuments must contain magnetic material to simplify future location.

C. Location of Monuments

Monuments must be set at:

1. the intersections of major street right-of-way lines;
2. the intersections of lines forming angles in the boundaries of the subdivision; and
3. such intermediate points as may be required by the Township.

Waivers may be given for the use of monuments in minor subdivisions.

D. Location of Markers

Lot markers must be set at:

1. all points where lot lines intersect curves, either front or rear;
2. all angles in property lines of lots; and
3. all other lot corners, except those monumented.

E. Removal

Any monuments or markers that are removed shall be replaced by a registered professional land surveyor at the expense of the person removing them.

ARTICLE 5.

LAND DEVELOPMENTS

500 GENERAL REQUIREMENTS

- A. The standards outlined in this Article shall be applied by the Township Planning Commission and Supervisors in evaluating plans for land development proposals. These standards shall be considered minimum standards and the Township may require more restrictive standards. Plans for land development proposals shall comply with the following standards as well as all other applicable provisions of this Ordinance, including Section 204.
- B. All land development proposals shall also meet the Design and Construction Standards outlined in Article 4, unless otherwise noted. Land developments not specifically listed in this Section shall be submitted to the Township for review and action in accordance with the procedures contained in Section 303 of this Ordinance.
- C. Innovative design which will provide for all foreseeable problems and which will enhance the character of the Township may be permitted and will be encouraged. The criteria for review will be the quality of the design and the proposed development.
- D. All proposed land developments shall conform to the provisions of the Valley Township Zoning Ordinance.

501 SITE PLANNING REQUIREMENTS

The following site planning requirements shall be utilized in the design of all proposed land developments, as they may be applicable.

A. Pedestrian Circulation

- 1. Pedestrian walkways shall be provided within all multi-family residential developments, commercial, industrial and institutional developments, or as deemed appropriate by the Township, in order to promote safe pedestrian circulation throughout the developed area. Width, alignment and gradient of walkways shall provide for the safety and convenience of the intended users. Walkways shall also be ramped at corners to provide access for the handicapped.
- 2. Pedestrian walkways shall be physically separated from all streets and where possible, from vehicle circulation

ways within non-residential developments.

3. Parking lots shall be designed to minimize the necessity for pedestrians to walk within and across vehicle circulation ways.
4. Where possible, common open space areas and other residential service areas should be located at the interior of development sites to minimize the necessity for pedestrians to cross streets. Such other safety precautions as deemed appropriate may be required by the Township.

B. Structure Orientation

1. Structure sites shall be clustered whenever possible to ensure the largest, most useable tracts of open space are preserved.
2. All buildings located on corner lots at street intersections shall be situated so as assure that the sight distance required by TABLE 3 of this Ordinance will be met.
3. Where possible, commercial structures should be relatively central with respect to their parking areas in order to minimize required walking distance for safety and convenience.

C. Landscaping

1. Development shall be planned to minimize the removal of existing trees, shrubs and ground cover and to minimize the percentage of each site covered with structures, paved parking areas, and other impermeable surfaces.
2. Street trees shall be provided in residential areas along arterial or collector streets to absorb traffic noise and shall be placed as provided in Section 402 1.5.

D. Buffering

All requirements established in Sections 505 and 506 of the Valley Township Zoning Ordinance, regarding buffer yards and screening shall be applied to land development proposals.

E. Off-Street Parking

Off-street parking spaces and areas shall be provided in accordance with the requirements of Section 800 of the Valley Township Zoning Ordinance.

F. Off-Street Loading

Off-street loading berths and areas shall be provided in accordance with the requirements of Section 801 of the Valley Township Zoning Ordinance.

G. Street Lights

When street lights are provided or required by the Township, the developer shall make the necessary arrangements with the public utility company involved; provided however, that whether or not street lights are initially installed, the developer shall be responsible for providing utility easements for future street lighting installations.

Any lighting provided for parking and loading areas shall be designed and installed in accordance with the standards set forth in Sections 800 and 801 of the Valley Township Zoning Ordinance.

H. Project Impact Assessment

To assess the impact of a proposed development on the capabilities of the community's physical infrastructure and the natural features and resources of the surrounding area, the following studies and/or analyses may be required by the Township as deemed necessary in making determinations regarding potentially high-impact uses, activities or developments.

1. A traffic impact study may be required to be prepared and submitted which will clearly define the amount, type, and directional splits of all traffic expected to be generated by the proposed use. When required, such study shall be prepared by a recognized, qualified traffic engineer and shall be in compliance with all PADOT standards.
2. A land use and natural resources impact analysis may be required to be prepared and submitted which identifies the type and characteristics of all potential impacts on adjacent lands from the proposed use and on any natural features and resources of the Township, including wildlife habitat areas and flora and fauna in the vicinity of the project site.
3. A groundwater and hydrologic impact study may be required to be prepared and submitted which identifies all expected impacts from the proposed use on existing groundwater quantities, qualities and the hydrologic conditions of the surrounding area.

RESIDENTIAL DEVELOPMENTS

The placement of two or more residential buildings on a lot or tract of land or the division or allocation of space in a single residential structure for the purpose of creating additional residential dwelling units within the building shall be considered residential land development.

Residential developments shall include, but not be limited to, multi-family dwellings or developments, cluster housing developments, mobile home parks, planned residential developments (PRDs), and other similar types of residential uses or structures. The following standards shall apply to such developments.

A. Multi-Family Dwellings and Developments

The density, building requirements, recreation/open space and other standards contained in Sections 406 and 407 of the Township Zoning Ordinance shall be applied in evaluating plans for multi-family dwellings and developments. In addition, the site planning requirements of Section 501 above shall be met and the following general design standards shall also apply.

1. General Requirements. All multi-family residential land development plans shall be prepared in accordance with Section 204 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4. Plans for multi-family residential developments shall be submitted to the Township for review and action pursuant to the procedure outlined in Section 303 of this Ordinance.

In addition, the developer shall submit a description of the type of housing proposed and shall indicate the total number of dwelling units being proposed per structure.

2. Arrangement of Buildings and Facilities.

- a. All of the elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and shape of the plot, the character of the adjoining property, and the type and size of the buildings in order to produce a liveable and economic land use pattern.
- b. Buildings shall be arranged in favorable relation to the natural topography, existing desirable trees, views within and beyond the site, and exposure to the sun and other buildings on the site. Grading around the buildings shall be designed to be in harmony with

the natural topography, at the same time assuring adequate drainage and safe and convenient access.

3. Access and Circulation.

- a. Access to the dwellings and circulation between buildings and other important project facilities for vehicular and pedestrian traffic shall be safe, adequate and convenient for the occupants.
- b. Access and circulation for fire fighting equipment, furniture moving vans, fuel trucks, garbage collection, deliveries and snow removal shall be planned for efficient operation and maintenance.
- c. Walking distance from the main entrance of a building to a street, driveway or parking area shall be designed to be less than 100 feet. Any exceptions to this standard shall be reasonably justified by compensating advantages, such as desirable views and site preservation through adaptation to topography. In no case however shall the distance exceed 250 feet.

4. Yards. Yards shall assure adequate privacy, desirable views, adequate natural light and ventilation, convenient access to and around the dwelling and other essential facilities or uses.

5. Streets. Driveways and Parking Requirements. All streets and driveways within multi-family residential developments shall meet the minimum design and construction standards contained in Section 402 of this Ordinance. Off-street parking shall be provided in accordance with Section 800 of the Valley Township Zoning Ordinance.

6. Planting. The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features, and additional new plant material shall be added for privacy, shade, beauty of buildings and grounds and to screen out objectionable features.

7. Facility Maintenance. A proposal for the maintenance of all facilities and/or open space areas which are to be shared by the residents within the development shall be submitted by the developer at the time of preliminary plan consideration. If the developer proposes to subdivide and convey individual dwelling units within a single structure, an agreement which assigns maintenance responsibilities for commonly-used facilities or open space shall be recorded with the subdivision plan

and referenced in the deed to each property.

B. Mobile Home Parks

All proposals for mobile home parks shall meet the requirements of Section 408 of the Valley Township Zoning Ordinance.

C. Planned Residential Developments

All proposals for planned residential developments shall meet the requirements contained in Section 427 of the Valley Township Zoning Ordinance.

COMMERCIAL DEVELOPMENTS

The placement of one or more commercial buildings on a lot, regardless of the number of occupants or tenure, shall be considered a commercial land development.

Commercial developments shall include, but not be limited to, retail stores or shopping areas, hotels and motels, automotive service stations and sales facilities, restaurants and transportation terminals. (See also the District Regulations for the Highway Commercial District in the Township Zoning Ordinance.) The following general standards shall apply to the design of all such developments.

A. General Requirements

All commercial land development plans shall be prepared in accordance with Section 204 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4, including the standards for streets and driveways contained in Section 402. In addition, all requirements established in the Valley Township Zoning Ordinance regarding such developments shall apply, including Sections 418, 419, and 420 regarding various types of commercial developments. Plans for commercial developments shall be submitted to the Township for review and action pursuant to the procedure outlined in Section 303 of this Ordinance.

B. Design Standards

1. Where possible, individual lots for commercial purposes shall be avoided in favor of a comprehensive design for the entire area to be used for such purposes.
2. All site planning requirements contained in Section 501 above shall be applied in the design of commercial land developments.

3. Access to public streets shall be limited to well-defined entrance and exit lanes. Exit lanes shall be separated from entrance lanes by dividers or planting islands.
4. Painted lines, arrows and dividers shall be provided to control parking and vehicular circulation. Customer parking and circulation shall be separated from delivery service drives and loading areas.
5. Drives providing vehicular access to such land developments shall be designed and constructed in accordance with the requirements established in TABLE 3 of this Ordinance and Section 802 of the Township Zoning Ordinance. Streets carrying commercial traffic shall not be extended to adjacent existing or proposed residential areas, nor be connected to streets intended for predominantly residential traffic.
6. Proposed sewage disposal and water supply systems shall be designed and constructed in accordance with the requirements of Sections 404 and 405 of this Ordinance.
7. Buffer yards and/or screen plantings may be required as per the standards of Sections 505 and 506 of the Township Zoning Ordinance and Section 501 D. of this Ordinance.
8. Off-street parking and loading areas shall be designed in accordance with the requirements of Sections 501 E. and F. of this Ordinance and shall also meet the standards set forth in Article 8 of the Township Zoning Ordinance.

504 INDUSTRIAL DEVELOPMENTS

The placement of one or more industrial buildings on a lot, regardless of the number of occupants or tenure, shall be considered an industrial land development.

Industrial developments shall include, but not be limited to, specified industrial uses, such as, light manufacturing, processing, and assembly operations; research or testing laboratories; warehousing, storage or distribution facilities; and transportation terminals. (See also the District Regulations for the Industrial District in the Township Zoning Ordinance.) The following general standards shall apply to the design of all such developments.

A. General Requirements

All industrial land development plans shall be prepared in accordance with Section 204 of this Ordinance and shall

also comply with all applicable Design and Construction Standards outlined in Article 4, including the standards for streets and driveways contained in Section 402. In addition, all requirements established in the Valley Township Zoning Ordinance regarding such developments shall apply, including Sections 421 and 425, regarding various types of industrial developments. Plans for industrial developments shall be submitted to the Township for review and action pursuant to the procedure outlined in Section 303 of this Ordinance.

B. Design Standards

1. All site planning requirements contained in Section 501 above shall be applied in the design of industrial land developments.
2. Access to public streets shall be limited to well-defined entrance and exit lanes. Exit lanes shall be separated from entrance lanes by dividers or planting islands.
3. Painted lines, arrows and dividers shall be provided to control parking and vehicular circulation. Visitor parking and circulation shall be separated from delivery service drives and loading areas.
4. Drives providing vehicular access to such land developments shall be designed and constructed in accordance with the requirements established in TABLE 3 of this Ordinance and Section 802 of the Township Zoning Ordinance. Streets carrying industrial traffic shall not be extended to adjacent existing or proposed residential areas, nor be connected to streets intended for predominantly residential traffic.
5. Proposed sewage disposal and water supply systems shall be designed and constructed in accordance with the requirements of Sections 404 and 405 of this Ordinance.
6. Buffer yards and/or screen plantings may be required as per the standards of Sections 505 and 506 of the Township Zoning Ordinance and Section 501 D. of this Ordinance.
7. Off-street parking and loading areas shall be designed in accordance with the requirements of Sections 501 E. and F. of this Ordinance and shall also meet the standards set forth in Article 8 of the Township Zoning Ordinance.

RECREATIONAL DEVELOPMENTS

The division or allocation of space on a lot or tract of land for intermittent recreational use; the placement of two or more recreational buildings or dwelling units on a lot; or the creation of a recreational complex or facility, whether public or private, shall be considered a recreational land development.

Recreational developments shall include, but not be limited to, campgrounds or recreational vehicle parks; vacation home developments; and recreational parks or playgrounds. (See also the District Regulations in the Township Zoning Ordinance.) The following general standards shall apply to the design of all such developments.

A. General Requirements

All recreational land development plans shall be prepared in accordance with Section 204 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4, including the standards for streets and driveways contained in Section 402. In addition, all requirements established in the Valley Township Zoning Ordinance regarding such developments shall apply, including Section 416 regarding Campgrounds and Section 417 regarding Recreational Facilities, Parks, and Playgrounds. Plans for recreational developments shall be submitted to the Township for review and action pursuant to the procedure outlined in Section 303 of this Ordinance.

B. Design Standards

1. All applicable site planning requirements contained in Section 501 above shall be applied in the design of recreational land developments.
2. Access to public streets shall be limited to well-defined entrance and exit lanes.
3. Drives providing vehicular access to such land developments shall be designed and constructed in accordance with the requirements established in TABLE 3 of this Ordinance and Section 802 of the Township Zoning Ordinance.
4. Proposed sewage disposal and water supply systems shall be designed and constructed in accordance with the requirements of Sections 404 and 405 of this Ordinance.
5. Buffer yards and/or screen plantings may be required as per the standards of Sections 505 and 506 of the Township Zoning Ordinance and Section 501 D. of this

Ordinance.

6. Off-street parking and loading areas shall be designed in accordance with the requirements of Sections 501 E. and F. of this Ordinance and shall also meet the standards set forth in Article 8 of the Township Zoning Ordinance.

506 INSTITUTIONAL DEVELOPMENTS

The placement of one or more institutional buildings on a lot, regardless of the number of occupants or tenure, shall be considered an institutional land development.

Institutional' developments shall include, but not be limited to, public and private schools, churches and places of worship, municipal buildings, fire stations, and cultural facilities. (See also the District Regulations in the Township Zoning Ordinance.) The following general standards shall apply to the design of all such developments.

A. General Requirements

All institutional land development plans shall be prepared in accordance with Section 204 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4, including the standards for streets and driveways contained in Section 402. In addition, all requirements established in the Valley Township Zoning Ordinance regarding such developments shall apply. Plans for institutional developments shall be submitted to the Township for review and action pursuant to the procedure outlined in Section 303 of this Ordinance.

B. Design Standards

1. All site planning requirements contained in Section 501 above shall be applied in the design of institutional land developments.
2. Access to public streets shall be limited to well-defined entrance and exit lanes. Exit lanes shall be separated from entrance lanes by dividers or planting islands.
3. Painted lines, arrows and dividers shall be provided to control parking and vehicular circulation. Visitor parking and circulation shall be separated from delivery service drives and loading areas.
4. Drives providing vehicular access to such land developments shall be designed and constructed in accordance with the requirements established in TABLE 3 of this

Ordinance and Section 802 of the Township Zoning Ordinance.

5. Proposed sewage disposal and water supply systems shall be designed and constructed in accordance with the requirements of Sections 404 and 405 of this Ordinance.
6. Buffer yards and/or screen plantings may be required as per the standards of Sections 505 and 506 of the Township Zoning Ordinance and Section 501 D. of this Ordinance.
7. Off-street parking and loading areas shall be designed in accordance with the requirements of Sections 501 E. and F. ' of this Ordinance and shall also meet the standards set forth in Article 8 of the Township Zoning Ordinance.

ARTICLE 6.

ADMINISTRATION AND ENFORCEMENT

600 WAIVERS OR MODIFICATIONS

- A. The provisions of this Ordinance represent minimum standards for the protection of the public welfare.
- B. If any mandatory provision of this Ordinance is shown by the applicant, to the satisfaction of a majority of the Supervisors, to be unreasonable and to cause unique and undue hardship as it applies to his proposed subdivision or land development, the Supervisors may grant a waiver or modification in writing to such applicant from such mandatory provision, so that substantial justice may be served and the public interest secured; provided that such waiver or modification will not have the effect of nullifying the intent and purpose' of this Ordinance.
- C. In granting waivers or modifications, the Supervisors may impose such conditions as will, in their judgement, encourage innovative design, secure substantially the objectives of the standards or requirements so waived or modified.

601 RECORDS

The Township Planning Commission and Supervisors shall maintain a public record of all the plans they review and those upon which they take action and of their findings, decisions, and recommendations in relation thereto.

602 AMENDMENTS

The Board of Supervisors of Valley Township may, from time to time, revise, modify, and amend this Ordinance by appropriate action taken at a scheduled public meeting, all in accordance with the applicable provisions of Section 505 of the PA Municipalities Planning Code, 53 P.S. Section 10505, as reenacted and amended in 1988, December 21, P.L. 1329, Act 170.

603 PREVENTIVE REMEDIES

- A. In addition to other remedies, the Valley Township Board of Supervisors may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations; to prevent unlawful construction; to recover damages; and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the

seller or transferror from such penalties or from the remedies herein provided.

- B. All subdivisions or land developments which were created in Valley Township but were not approved by the Township, for which a deed was recorded two or more years prior to the date of the enactment of this Ordinance, shall be forgiven from meeting the requirements of this or any previously-adopted municipal subdivision ordinance regulations. (See also Sub-section C. below.)
- C. Except as provided above, the Valley Township Board of Supervisors may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Ordinance. The authority to deny such a permit or approval shall apply to any of the following applicants:
 - 1. The owner of record at the time of such violation.
 - 2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 - 3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - 4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- D. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Valley Township Board of Supervisors may require compliance with the conditions that would have applied to the property at the time the applicant acquired an interest in such real property.

ENFORCEMENT REMEDIES

- A. Any person, partnership or corporation who or which has violated the provisions of this Ordinance, whether enacted under current law or prior enabling laws, shall, upon being found liable therefore in a civil enforcement proceeding commenced by Valley Township, pay a judgment of not more than \$500.00 plus all court costs, including reasonable

attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, Valley Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this Ordinance shall be paid over to Valley Township.

- B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
- C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Valley Township Board of Supervisors the right to commence any action for enforcement pursuant to this Section.

605 FEE SCHEDULE

All plan processing, review and inspection fees shall be paid to Valley Township. These fees are designed to cover reasonable and necessary costs associated with processing and reviewing of subdivision and land development plans and conducting inspections of improvement construction and installations required by this Ordinance.

A. Plan Processing Fees

Fees for the evaluation and processing of preliminary and final subdivision and land development plans shall be established by Resolution of the Valley Township Board of Supervisors. Such fees shall be reasonable and shall include all municipal review and processing charges. These fees shall accompany the submission of plans to the Township and shall be nonrefundable.

B. Plan Review Fees

The applicant shall reimburse the township for all reason-

able and necessary charges by the Township Engineer and/or consultant for review of improvement or development designs. All engineering and/or consulting fees shall be in accordance with the ordinary and customary charges by the municipal engineer or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the municipality when fees are not reimbursed or otherwise imposed on applicants. These fees shall be paid to the Township prior to the approval of a final plan.

In the event the applicant disputes the amount of such review fee, the procedure for resolution of such disputes contained in Section 503 (1) of the PA Municipalities Planning Code, 53 P.S. Section 10503 (1) as reenacted and amended in 1988, December 21, P.L. 1329, Act 170, shall be applied.

C. Inspection Fees

Where improvements are required by the Township Supervisors to be installed as a condition of final approval of a subdivision or land development plan, said improvement must be inspected by the municipality in accordance with the procedure set forth in Section 304 C. of this Ordinance upon their completion. The applicant shall reimburse the Township for the reasonable and necessary expense incurred for the inspection of such improvements. Such expense shall be in accordance with the ordinary and customary fees charged by the municipal engineer for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer to the municipality when fees are not reimbursed or otherwise imposed on applicants. These fees shall be paid to the Township prior to the approval of a final plan or prior to the release of the performance guarantee.

In the event the applicant disputes the amount of such inspection fee, the procedure for the resolution of such disputes contained in Section 510 (g) of the PA Municipalities Planning Code, 53 P.S. Section 10510 (g) as reenacted and amended in 1988, December 21, P.L. 1329, Act 170, shall be applied.

ARTICLE 7.

DEFINITIONS

GENERAL INTERPRETATIONS

Unless the context requires otherwise, the following definitions shall be used in the interpretation of this Ordinance. In addition, the word "lot" includes the words "plot" and "parcel"; words in the present tense shall include the future; the singular shall include the plural and the plural the singular; the male gender shall include the female; the word "person" shall include a partnership or corporation, as well as an individual; and the term "shall" is mandatory, the word "may" permissive.

DEFINITIONS

AGENT: Any person, other than the developer, who, acting for the developer, submits subdivision or land development plans to the Township for the purpose of obtaining approval thereof. (See also DEVELOPER.)

AGRICULTURAL PURPOSES: The use of more than ten (10) acres of land for the purpose of producing agricultural commodities, which shall include but not be limited to: growing grains, fruits, vegetables, nursery plants, Christmas trees, or timber; raising poultry or livestock; or producing agricultural commodities through greenhouse production. In some instances the use of land for agricultural purposes may involve the construction of barns, silos, feed lots and/or farm-related accessory buildings.

ANCHORING SYSTEM: A system of tie-downs and anchors designed and installed on mobile home pads in accordance with **the** standards of the Department of Community Affairs to resist the floatation, collapse, and lateral movement of mobile homes.

APPLICANT: A landowner or developer, as hereinafter defined, who has filed an application for development or subdivision.

BERM: See definition of SHOULDER.

BLOCK: An area bounded by streets.

BUFFER YARD: Land area, either landscaped or planted, used to visibly separate one use from another or to shield or block noise, light, or other nuisance.

BUILDING: A structure having a roof supported by columns, which is used for the shelter or enclosure of persons, animals

or property.

- a. Building, Accessory; A detached, subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as the principal building.
- b. Building, Principal; The main structure on a given lot in which the primary use of the site is conducted.

BUILDING SETBACK LINE OR BUILDING LINE; A line within and across a lot defining the required minimum distance between any structure and the adjacent street right-of-way line or other property line; i.e. the front, side or rear yard setback requirements. •

CAMPGROUND: A tract or tracts of land, or any portion thereof, used for the purpose of providing two or more spaces for travel trailers, recreational vehicles, or tents, with or without a fee charged for the leasing, renting or occupancy of such space.

CARTWAY: The surface of a street or alley available for vehicular traffic or the area between curbs.

CENTERLINE: A line located exactly in the center of the width of the cartway, right-of-way, easement, access, road, or street.

CHAIRMAN: The Chairman of the Valley Township Board of Supervisors or Township Planning Commission, as indicated.

CLEAR SIGHT TRIANGLE: An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street centerlines.

COMMON OPEN SPACE: A specific area of land or water, or a combination of land and water within a development site, which is designed and intended for the principal use or enjoyment of the occupants of the development, not including streets, off-street parking areas, and land dedicated for public or community facilities or use.

COMMUNITY FACILITY: A building or structure, or non-structural improvement such as an easement for utilities or storm-water controls, jointly owned and/or maintained by property owners within a subdivision, or by a governmental agency, to provide a service to the public.

COMPREHENSIVE PLAN: The Valley Township Comprehensive Plan.

CONDOMINIUM: A building, or group of buildings, in which

units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

CONVERSION APARTMENT: A single-family dwelling or other building converted into separate dwelling units for occupancy by not more than three (3) families.

COUNTY: Montour County, PA.

CUL-DE-SAC: A relatively short dead end street with a turn-around provided. (See also definition of STREET, CUL-DE-SAC.)

DEDICATION: The deliberate appropriation of land by its owner for any general and public uses, reserving to himself no other rights than are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

DEVELOPER: Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development. (See also AGENT and SUBDIVIDER.)

DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations. (See also LAND DEVELOPMENT.)

DRAINAGE FACILITY: Any ditch, gutter, pipe, culvert, storm sewer or other structure or facility designed, intended or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreation areas, or any part of any subdivision or land development.

DRIVEWAY: That portion of a property which provides vehicular access between dwellings and a public or private street or right-of-way.

DROPPED CURB: A section of curbing which is lowered to the street pavement level to permit access into a property or properties.

DWELLING OR DWELLING UNIT: Any structure, or part thereof, designed to be occupied as living quarters by a single housekeeping unit. (See Valley Township Zoning Ordinance for more specific definitions.)

a. Dwelling, Attached: A structure designed for and containing two (2) or more dwelling units, each having at least

one (1) wall in common with an adjacent unit, i.e. town-house and garden apartment units.

- b. Dwelling, Detached; A freestanding structure consisting entirely of a single dwelling unit.
- c. Dwelling, Mobile Home: See Definition of MOBILE HOME.
- d. Dwelling, Multi-Unit: A structure consisting of three (3) or more dwelling units, including row houses, townhouses, apartment buildings, and conversion apartments consisting of three (3) units.
- e. Dwelling, Single Unit: A detached dwelling or a mobile home. (See respective definitions).
- f. Dwelling, Two Unit: A structure consisting of two (2) dwelling units, including twin or double and duplex structures, and two unit conversion apartments.

EASEMENT: A defined right of use or privilege granted for a limited use of private land for a public or quasi-public purpose.

ENGINEER: A professional engineer licensed in the Commonwealth of Pennsylvania, duly appointed as the engineer for Valley Township.

EROSION: The removal of surface materials by the action of natural elements.

FLOOD: A temporary inundation of normally dry land areas.

- a. Flood, One Hundred Year: A flood that, on the average, is likely to occur once every 100 years, i.e. that has a one percent chance of being equalled or exceeded in any given year; for the purposes of this Ordinance, the Regulatory Flood.
- b. Flood, Regulatory: The flood that has been selected to serve as the basis upon which the floodplain management provisions of this Ordinance have been based; the 100 year flood.

FLOOD FRINGE: That portion of the 100 year floodplain outside the floodway.

FLOOD HAZARD AREA: For the purposes of this Ordinance, the Flood Hazard Area shall be defined the same as the Floodplain.

FLOODPLAIN: 1) A relatively flat or low land area adjoining a stream, river, or watercourse, which is subject to partial or complete inundation; or, 2) any area subject to the

unusual and rapid accumulation or runoff of surface waters from any source. The boundary of this area shall coincide with the boundary of the 100 year flood.

FLOODPROOFING; Any combination of structural and non-structural modifications or other changes or adjustments to buildings or their contents, undertaken to reduce or eliminate flood damage.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas required to carry and discharge the flood waters of a 100 year flood without cumulatively increasing the water surface elevation more than one (1) foot at any point.

IMPROVEMENT AGREEMENT: A deposit consisting of cash, a bond, a binding letter of credit, escrow account, or negotiable securities and an agreement guaranteeing the developer will install the required improvements.

IMPROVEMENTS: Those physical additions and changes to the land that may be necessary to produce usable and desirable lots from raw acreage, including, but not limited to, grading, paving, curbing, street lights, signs, fire hydrants, water mains, sanitary sewers, stormwater management facilities, sidewalks, bridges, culverts, and street shade trees.

LAND DEVELOPMENT: Any of the following activities:

- a. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
 - 1) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or
 - 2) the division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; or
- b. a subdivision of land.

Provided however, that the following activities shall be exempted from the definition of land development:

- a. The conversion of an existing single-unit detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
- b. the addition of an accessory building, including farm

buildings, on a lot or lots subordinate to an existing principal building; and,

- c. the addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this Ordinance, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

For processing and evaluation purposes of this Ordinance, land development proposals shall be differentiated or categorized as follows:

- a. Land Development. Manor: Any land development proposal involving the installation of or need for improvements; or the location of five (5) or more dwelling units on a single tract of ground; or any non-residential land development.
- b. Land Development. Minor: Any land development proposal involving four (4) or fewer dwelling units which abut a street of sufficient width and have existing access to adequate sewer, water or other public utilities or facilities.

LAND DEVELOPMENT. COMMERCIAL: The subdivision or development of a tract of land into lots or spaces which are designed and intended for commercial purposes, including, but not limited to shopping centers, motels, and other similar types of development.

LAND DEVELOPMENT. INDUSTRIAL: The subdivision or development of a tract of land into lots or spaces which are designed and intended for industrial purposes, including, but not limited to industrial parks, single or multi-tenant manufacturing buildings, and other similar types of development.

LAND DEVELOPMENT. INSTITUTIONAL: The subdivision or development of a tract of land into lots or spaces which are designed and intended for institutional purposes, including, but not limited to schools, hospitals, nursing homes, sheltered care facilities, prisons, municipal buildings, or other such structures used for public purposes.

LAND DEVELOPMENT. RECREATIONAL: The subdivision or development of a tract of land into lots or spaces which are designed and intended for intermittent recreational purposes, including, but not limited to campgrounds, vacation home developments, private or public parks or playgrounds, or other similar types of development.

LAND DEVELOPMENT. RESIDENTIAL: The subdivision or development of a tract of land into lots or spaces which are designed and intended for full time residential occupancy, including, but not limited to multiple family dwellings or housing developments, mobile home parks, or planned residential developments.

LANDOWNER: The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LEVELING AREA: A safe stopping area at the intersection of streets or the intersection of a driveway and a street which is designed in accordance with the standards of this Ordinance.

LOT: A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

- a. Lot, Area: The area contained within the property lines of a lot as shown on a subdivision plan, excluding space within any street, or street right-of-way but including the area of any easement.
- b. Lot, Corner: A lot abutting upon two (2) or more streets at their intersection, or upon two (2) parts of the same street forming an interior angle of less than 135 degrees.
- c. Lot, Double Frontage: A lot with front and rear street frontage.
- d. Lot, Line: Any boundary line of a lot.
- e. Lot, Reverse Frontage: A lot extending between and having frontage on an arterial street and on a minor street or alley, with vehicular access being provided solely from the latter.
- f. Lot, Width: The width of a lot measured at the building setback line.

MEDIATION: A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences culminating in a written agreement which the parties themselves create and consider acceptable.

MOBILE HOME: A transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designed to be joined into one (1) integral

unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. For floodplain management purposes, the term shall also include park trailers, travel trailers, recreational vehicles and other similar types of manufactured homes placed on a site for a period of time exceeding 180 consecutive days.

MOBILE HOME LOT: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILE HOME PARK; A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes. For floodplain management purposes, the term shall also include facilities for the placement of two (2) or more park trailers, travel trailers, recreational vehicles, or other similar types of manufactured housing for a period of time exceeding 180 consecutive days.

MOBILE HOME STAND: The part of an individual lot which has been reserved for the placement of the mobile home, appurtenant structures or additions.

MUNICIPALITY: Valley Township, Montour County.

OPEN SPACE: Space not occupied, open to the sky, and on the same lot with a building or structure. (See also COMMON OPEN SPACE.)

PAVEMENT: A sub-base, base course, or surface course placed on a sub-grade to support traffic load.

PLAN: A map or plat of a subdivision or land development, whether sketch, preliminary or final. (See also SUBDIVISION PLAN.)

a. Plan. Sketch: An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development.

b. Plan, Preliminary: A tentative subdivision or land development plan, in lesser detail than the final plan, indicating the approximate proposed layout of a subdivision or land development as a basis for consideration prior to preparation of the final plan.

c. Plan. Final: A complete and exact subdivision or land

development plan prepared for official approval and recording as required by statute.

PLANNING COMMISSION: The Planning Commission of Valley-Township, Montour County; the seven (7) member advisory agency appointed by the Township Supervisors, whose principal role is to review subdivision and land development plans and to make recommendations to the Supervisors regarding the appropriate action to be taken on each such submission.

PUBLIC MEETING: A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

PUBLIC NOTICE: Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the date, time, and place of the hearing and the particular nature of the matter to be considered. The first publication shall not be more than 30 days and the second publication shall not be more than seven (7) days prior to the hearing date.

RECREATIONAL VEHICLE: A vehicular type of portable structure without a permanent foundation, which can be towed, hauled or driven and is primarily designed as temporary living accommodation for recreational, camping and travel use, including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.

RECREATIONAL VEHICLE PARK: Any site upon which two (2) or more recreational vehicles are, or are intended to be located. (See also CAMPGROUNDS.)

RESIDUAL PROPERTY: The lot or parcel created through subdivision which is the remaining portion of the parent tract. The residual property shall be considered as an integral part of the proposed subdivision and shall be required to meet the standards of this Ordinance, where determined appropriate or necessary by Valley Township.

RIGHT-OF-WAY: A specific type of easement being limited to use for passage over another person's land; for example, an easement for vehicular passage or public utility passage; land set aside for use as a street, alley, or other means of travel.

RIGHT-OF-WAY, ULTIMATE: The planned future width of an existing, sub-standard right-of-way based on the criteria established by this Ordinance, applicable county or municipal plans, or PADOT requirements.

RUNOFF: The surface water discharge or rate of discharge of a given watershed after a rainfall or snowfall that does not

enter the soil but runs off the surface of the land.

SCREEN PLANTING: A barrier to visibility, glare, and noise between adjacent properties made of plant materials such as trees or shrubs which shall be of such species as will produce the desired visual screen within three (3) years of planting. (See also Valley Township Zoning Ordinance for specific screen planting requirements.)

SEDIMENTATION: The process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as sediment.

SETBACK: The horizontal distance between a structure and a street right-of-way line or a property line.

SEWAGE FACILITY: Any sewer, sewage system, sewage treatment plant or parts thereof designed, intended or constructed for the collection, treatment or disposal of liquid waste (including industrial wastes).

- a. Sewage Facility, Off-Lot: Any approved system or part thereof in which sanitary sewage is collected from buildings and piped by means of a sewerage system to a sanitary sewage treatment plant. Such a system must be designed in accordance with DER standards and be permitted by the Bureau of Water Quality Management of the Department of Environmental Resources. Such systems shall include municipal or public treatment facilities as well as package treatment plants installed by private developers.
- b. Sewage Facility, On-Lot: Any approved system or part thereof designed to serve a single dwelling or building in which sewage is collected in a septic tank or similar container located on the same lot and is untreated except for bacterial action occurring within such tank and is disposed of either through a drain field connected to the tank or by hauling to a sewage treatment plant.

SHOPPING CENTER: A group of commercial establishments, planned, developed, owned and managed as a unit and related in location, size, and type of shops to the trade area that the unit serves; it provides on-site parking in definite relationship to the types and sizes of stores.

SHOULDER: That portion of the roadway which is adjacent to the cartway and is provided for lateral support of the pavement, emergency stopping, and a minimal amount of recovery area beyond the pavement edge, which is provided when curbing is not used.

SIGHT DISTANCE: The length of street, measured along the

centerline, which is continuously visible from any point three (3) feet above the centerline.

SLOPE; 1) The face of an embankment or cut section; 2) any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed as a ratio based on vertical differences in feet per 100 feet of horizontal distance; i.e. rise over run.

SPECIAL PERMIT: A special approval issued by the Department of Community Affairs or local municipality in accordance with Section 38.6 of the State Floodplain Management Regulations for specific types of development and obstructions which present a special hazard to the health and safety of the public or occupants, or may result in significant pollution, increased flood levels or flows, or debris endangering life on property, when such development or obstructions are located in all or a designated portion of a floodplain.

STORMWATER MANAGEMENT PLAN: A plan for managing stormwater runoff, prepared by the developer in accordance with the standards of this Ordinance.

STREET: A strip of land, including the entire right-of-way, intended for use as a means of vehicular and pedestrian circulation. For the purposes of this Ordinance, the word "road" may be used interchangeably with the term "street".

- a. Street. Alley or Service Drive: A minor right-of-way, privately or publicly owned, which provides a secondary access primarily for service to the back or sides of properties.
- b. Street. Arterial: A major highway carrying vehicles through the Township, used primarily for fast or heavy traffic, as described in the Valley Township Comprehensive Plan.
- c. Street. Cul-de-Sac: A street intersecting another street at one end and terminating at the other in a vehicular turn-around.
- d. Street. Local: Streets within subdivisions and developments, including marginal access streets and cul-de-sac streets, which are characterized by short street lengths and low operating speeds.
- e. Street, Major Collector: Streets which provide access within the municipality and streets which provide connection to arterial streets and the State Highway Network System, as described in the Valley Township Comprehensive Plan.

- f. Street, Marginal Access: Local or minor streets which are parallel and adjacent to arterial streets and which provide access to abutting properties and protection from through traffic.
- g. Street, Minor Collector: Streets which access or pass through subdivisions and developments, and connecting streets which move traffic into and between subdivisions and developments, as described in the Valley Township Comprehensive Plan.
- h. Street, Private: All streets and rights-of-way not dedicated, accepted, and maintained as public streets.
- i. Street, Public: All streets and rights-of-way open to public use and maintained by, or dedicated to and accepted by the Township, the County, the State or the Federal Government.

STREET LINE: The property line or limit of a right-of-way.

STREET SYSTEM: All public and private streets and rights-of-way intended for use as a means of vehicular circulation.

- a. Street System, Municipal: All public streets and rights-of-way maintained by Valley Township, including local streets and minor and major collector streets.
- b. Highway System, State: All public streets and rights-of-way maintained by the PA Department of Transportation, including minor and major collector streets, arterial highways, and Interstate highways.

STRUCTURE: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the ground.

- a. Structure, Accessory: A structure detached from a principal structure, but located on the same lot, which is customarily incidental and subordinate to the principal building, structure or use.
- b. Structure, Principal: The main or primary structure on a given lot.

SUBDIVIDER: Any landowner, agent of such landowner or tenant with the permission of such landowner who makes or causes to be made a subdivision of land or a land development.

SUBDIVISION: The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future,

of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling shall be exempted.

a. Subdivision, Major: A subdivision involving five (5) or more lots, parcels or other divisions of land, whether or not they involve new streets, additional utilities, or other improvements, regardless if they are intended for immediate or future use.

b. Subdivision, Minor: A subdivision involving not more than four (4) lots, parcels or other divisions of land, which abut a street of sufficient width and do not require the installation of a new street, sanitary sewer, water mains or pipes, or other improvements.

SUBDIVISION OR LAND DEVELOPMENT PLAN: A proposal to subdivide or develop one (1) or more tracts of land. The plan shall include the proposed layout of the subdivision or land development and shall be accompanied by all other supplementary materials required by this Ordinance when submitted for consideration. (See also PLAN.)

SUPERVISORS: The Valley Township Board of Supervisors.

SURVEYOR: A licensed, professional land surveyor registered in Pennsylvania.

SWALE: A low lying stretch of land which gathers or carries surface water runoff.

TOWNSHIP: Valley Township, Montour County.

TOWNSHIP SUPERVISORS: The elected officials/governing body of Valley Township, Montour County.

USE: Any activity carried on or intended to be carried on in a building or other structure or on a tract of ground.

WATER COURSE: Any river, stream, run, drainageway, lake, pond or other body of water appearing as a permanent or intermittent waterway on United States Geological Survey maps.

WATER SYSTEM: A system for the provision of water to individual lots or the public for human consumption.

a. Water System, Public: A water system, as defined by the PA Department of Environmental Resources, which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of

the year.

- b. Water System, Non-Public: All water systems which are not public water systems.

WETLANDS: Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

YARD: An open space, unoccupied and unobstructed from the ground upward, on the same lot with a building or structure, extending along a lot line or street line and inward to the structure. The required yard shall be the minimum area or open space required to be provided between any front, side or rear property line and a principal or accessory structure on the lot.

ARTICLE 8.

MISCELLANEOUS PROVISIONS AND ENACTMENT

800 SEVERABILITY AND VALIDITY

The provisions of this Ordinance shall be severable. Should any section, subsection or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereof.

801 REPEALER

The Valley Township Subdivision and Land Development Ordinance, enacted on July 10, 1974, and all other Ordinances or sections thereof, which are inconsistent with any of the provisions herein, are hereby repealed. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights accrued or liability incurred or any causes of action accrued or existing under any Ordinance repealed by this Ordinance. Nor shall any right or remedy be lost, impaired, or affected by this Ordinance.

802 ENACTMENT AND EFFECTIVE DATE

ENACTED and ORDAINED into an Ordinance this 11th day of December, 199 1, by the Board of Supervisors of Valley Township, Montour County, PA.

Said Ordinance shall become effective on the 1st day of January, 1992.

VALLEY TOWNSHIP BOARD OF SUPERVISORS

Calvin E. Myerzel
Chairman
W. D. Row
Arthur B. Laubach

ATTEST:

Dino R. McCroft
Valley Township Secretary

APPENDIX A

RESOLUTION

WHEREAS, Valley Township incurs certain expenses in carrying out the administration of its municipal Subdivision and Land Development Ordinance; and

WHEREAS, Valley Township wishes to recover a reasonable portion of these expenses from the applicant;

NOW, THEREFORE BE IT RESOLVED, that the following schedule of fees shall be utilized in the administration of the Valley Township Subdivision and Land Development Ordinance.

FEE SCHEDULE

I. MUNICIPAL PLAN PROCESSING FEES

The following fees for evaluation and processing of proposed subdivision and/or land development plans shall be paid to Valley Township at the time of plan filing. No plans shall be considered filed until the appropriate processing fee is received.

A. Sketch Plans - No Charge.

B. Preliminary Plans - \$ 25.00 per plan plus \$ 10.00 per lot or residential or non-residential unit.

C. Final Plans - \$ 25.00 per plan plus \$ 5.00 per lot or residential or non-residential unit.

IX. REVIEW FEES

The applicant shall reimburse the Township for all reasonable and necessary charges by the Township Engineer or consultant for review of improvement or development designs in accordance with the procedure set forth in Section 605 B. of the Valley Township Subdivision and Land Development Ordinance.

III. INSPECTION FEES


Where improvements are required by the Township to be installed as a condition of final approval of a subdivision or land development plan, said improvements must be inspected by the Township Engineer in accordance with the procedure established in Section 3 04 C. of the Valley Township Subdivision and Land Development Ordinance upon their completion.

FEE SCHEDULE RESOLUTION

Page 2

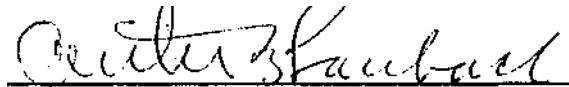
The applicant shall reimburse the Township for all reasonable and necessary expenses associated with the inspection of required improvements by the Township Engineer in accordance with the procedure set forth in Section 605 C. of the Ordinance.

ENACTED AND ORDAINED this 11th day of December, 1991, by the Board of Supervisors of Valley Township, Montour County, PA, to be effective on the 1st day of January, 1992.

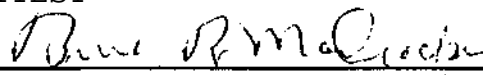


Chairman, Valley Township
Board of Supervisors





ATTEST:



Secretary, Valley Township
Board of Supervisors

APPENDIX B

APPLICATION FORM

Date of Application _____

VALLEY TOWNSHIP PLANNING COMMISSION/BOARD OF SUPERVISORS

Application for Review or Approval of a
_____ Sketch; _____ Preliminary; _____ Final
_____ Subdivision Plan; _____ Land Development Plan

(Check applicable spaces)

(Fill in or complete the following items. Please print or write legibly. Write "NA" where item is not applicable.)

1. Name of Subdivision or Land Development _____
_____ ; Date of Plan _____
2. Location of Subdivision or Land Development _____
3. Name of Property Owner _____
Address _____ ; Phone # _____
4. Name of Applicant (if other than owner) _____
5. Name of Professional Land Surveyor Preparing Plan _____
_____ ; Address _____
6. Total Acreage _____ ; No. of Lots or Units _____
7. Proposed Land Use: _____ Single-family; _____ Multi-family;
_____ Commercial; _____ Industrial; _____ Other _____
8. Method of Proposed Sewage Disposal _____
9. Acreage Proposed for Public Use _____
10. Lineal Feet of New Streets _____

11. Date of Plan Submission _____

12. Date of Municipal Consideration _____

13. Plans and Other Required Material Submitted:

(Fill in or check appropriate items; write "NA" where item is not applicable.)

a. In the case of a final plan, preliminary plans were submitted _____; Approved _____

b. Sketch plan for remaining property _____

c. Approved DER Sewage Planning Module(s) _____

d. Centerline road profile(s) & cross-section(s) _____

e. Stormwater management facilities plans _____

f. Grading plan or erosion & sediment control plan _____

g. Letters from applicable utility companies _____

h. Right-of-Way Use & Maintenance Agreement _____

i. Proposed deed restrictions _____

j. Maintenance agreements for undedicated open space _____

k. Improvement agreement and financial guarantee _____

l. Processing, review & inspection fees _____

m. Other _____

Signature of Applicant

APPENDIX C

IMPROVEMENTS AGREEMENT

Prior to final approval of any subdivision or land development plan, duplicate originals of this Agreement must be filed with the Planning Commission and the Board of Supervisors of Valley Township. A performance guarantee (financial security), in a form satisfactory to the Township Supervisors and their Solicitor, equal to an amount of 110% of the total estimated cost of the improvements must also be submitted to the Township. Estimated construction costs shall be determined by a qualified Professional Engineer selected by the applicant and approved by the Township Supervisors and their Engineer.

IMPROVEMENTS AGREEMENT

Name of Subdivision or Land Development _____

Location of Proposal _____

The undersigned subdivider/developer hereby agrees to provide the improvements designated below throughout his subdivision or land development, as shown on plans prepared by _____, dated _____, 19____.

<u>Improvements</u>	<u>Estimated Construction Cost</u>
Street Grading _____	_____
Street Base & Sub-base _____	_____
_____ Street Wearing Surface _____	_____
_____ Curbs _____	_____
_____ Sidewalks _____	_____
_____ Sewage Treatment Plant _____	_____
_____ Sewer Trunk Lines _____	_____
_____ Sewer Mains & Laterals _____	_____
_____ Water Supply System _____	_____
_____ Stormwater Facilities _____	_____
_____ Electrical Service _____	_____
_____ Other Utilities _____	_____
_____ Monuments & Markers _____	_____

(Continued on Next Page)

IMPROVEMENTS AGREEMENT

Page 2

____ Street Name Signs _____

____ Street Lights _____

Total Estimated Cost of Improvements \$ _____

The above designated improvements shall be constructed in accordance with all municipal requirements and specifications, and conformance with the regulations shall be determined solely by Valley Township.

The subdivider/developer intends to be legally bound hereby.

I. Subdivider/Developer

Witness: _____ Name of Subdivider/Developer

_____ By: _____
Signature of Subdivider/Developer

Date: _____ Date: _____

Corporate Seal

Dated _____ , 19_

II. Township

VALLEY TOWNSHIP BOARD OF SUPERVISORS

Chairman

Witness: _____ Date: _____

Township Secretary

TOWNSHIP SEAL

Date: _____

"Example"

RIGHT-OF-WAY USE & MAINTENANCE AGREEMENT

_____ Subdivision/Land Development

The Grantee herein, his heirs and assigns have the right to use the private _____ foot right-of-way of this Subdivision or Land Development as shown on plot plans prepared by _____, Registered Professional Land Surveyor, and dated _____, 19____.

The Grantee understands that this private right-of-way will not be dedicated to the Township nor receive maintenance, including snow plowing, snow removal or cleaning of drainage facilities, by the municipality or the Grantor. All maintenance of the right-of-way shall be at the expense of the users and shall be shared equally among such users.

Owners of lots accessed by or located along this private right-of-way hereby agree not to petition Valley Township or any other governmental authority to maintain, improve, rebuild or in any way assume ownership responsibilities for such right-of-way, until such time as these same lot owners have brought the right-of-way up to Valley Township standards and specifications and have recorded a deed of dedication for the roadway to the Township.

By acceptance of such Agreement or by otherwise acquiring a lot in this Subdivision, every such lot owner agrees to pay the assessments specified or otherwise provided for in this Agreement.

GRANTOR: _____ Date: _____

GRANTOR: _____ Date: _____

GRANTEE: _____ Date: _____

GRANTEE: _____ Date: _____

APPENDIX D (2)

"Example"

RIGHT-OF-WAY USE & MAINTENANCE AGREEMENT

_____ Subdivision/Land Development

The GRANTORS hereby grant and convey unto the GRANTEES a free and uninterrupted right-of-way, for the purpose of ingress, egress, and regress by the GRANTEES, their heirs, assigns and successors, to and from the land purchased by the GRANTEES, said right-of-way being described as follows: _____

The GRANTEES agree to accept this right-of-way and in further consideration thereof, release and hold harmless the GRANTORS from any and all damages and/or injury, and all claims therefore, which may occur to any persons and/or property as a result of or in connection with the construction, maintenance, or use of said right-of-way.

The GRANTEES hereby agree to share jointly in the maintenance or repair of said right-of-way with other users of said right-of-way.

GRANTOR: _____ Date: _____

GRANTOR: _____ Date: _____

GRANTEE: _____ Date: _____

GRANTEE: _____ . Date: _____

APPENDIX E

VERIFICATION OF RECORDING FORM

TO: Valley Township Planning Commission and Board of Supervisors

FROM: Recorder of Deeds, Montour County, PA

This is certify that on this _____ day of _____,
199____, the following plan has been recorded in the office of the
Recorder of Deeds of Montour County:

Subdivision in the name of: _____

Location: _____

Survey Date: _____

Approved by Valley Township Planning Commission on: _____

Approved by Valley Township Board of Supervisors on: _____

The above-referenced plan has been recorded in Map Book _____,

Page _____.

Montour County Recorder of Deeds

APPENDIX F

ILLUSTRATIONS

Illustration I. Roadway Elements & Typical Cross Section

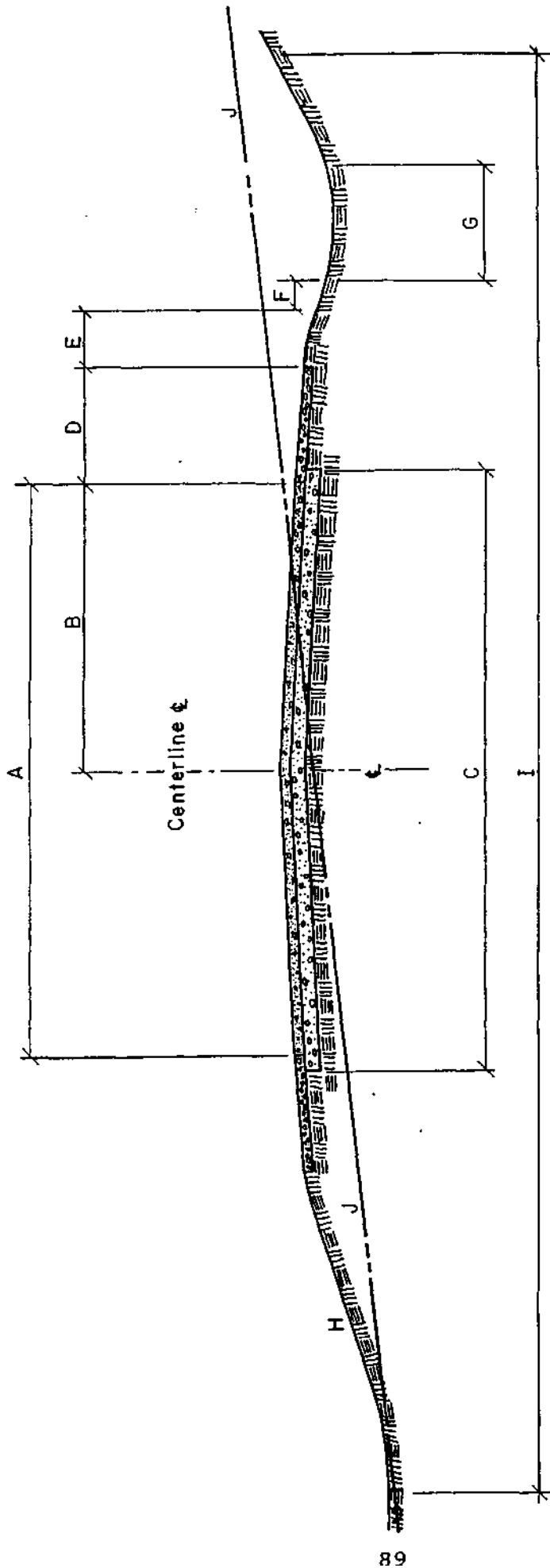
Illustration II. Roadway Cross Section Details

Illustration III. Typical Layout of Driveway & Road Intersections

Illustration IV. Cross Section of Typical Driveway Intersection

Illustration I

ROADWAY ELEMENTS and TYPICAL CROSS SECTION for Local Subdivision Road to be Dedicated to Township



- A. Cartway: 20 feet wide, composed of 9 inches of 2A stone or equivalent base course, 2 inches ID-2 binder course, and 1 inch of ID-2 wearing surface. *
- B. Traveled Lane: 10 feet wide, with crown of 1/4 inch to 3/8 inch per foot.
- C. Sub-base: 21 feet wide, composed of 6 inches of shale or other suitable sub-base material. *
- D. Shoulder: 6 feet wide, each side, unless curbs are provided, composed of material approved by the Township Supervisors, with a compacted depth equal to the depth of the base and wearing surface.
- E. Rounding at the Intersection of Shoulder and Side Slope: 2 foot cross-sectional dimension.
- F. Side Slope: 2:1 ratio maximum.
- G. Swale Rounding: 4 foot cross-sectional dimension with a minimum depth of 1 foot below the outer edge of the shoulder.
- H. Side Slope: 3:1 ratio or flatter preferred.
- I. Right-of-Way: 50 feet.
- J. Original Grade.

NOT TO SCALE

* See also PADOT Publication 70, Guidelines for the Design of Local Roads & Streets, August 1990.

Illustration II

CROSS SECTION DETAILS

for Local Subdivision Road to be Dedicated to Township

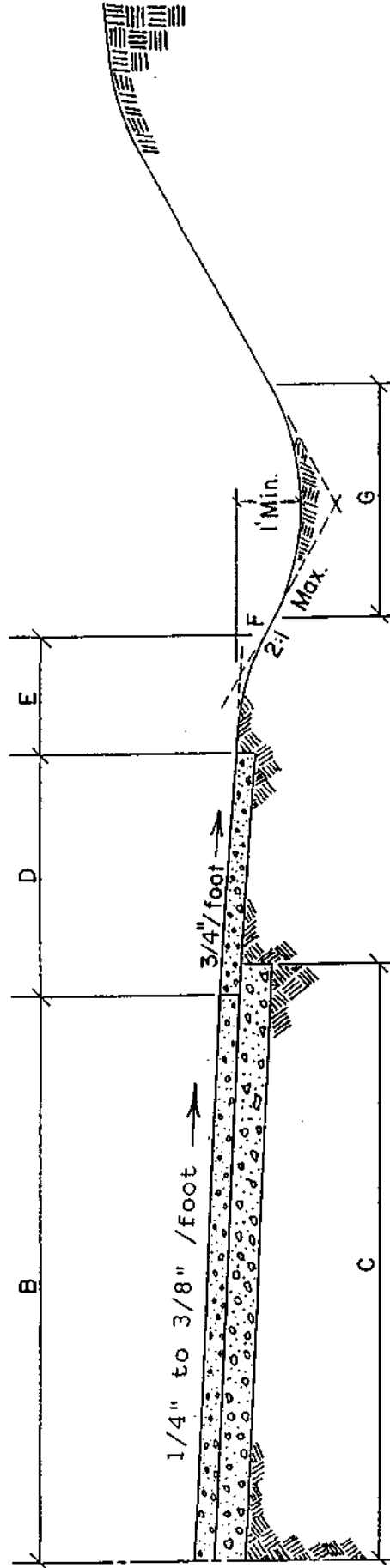


Illustration III

TYPICAL LAYOUT of DRIVEWAY and ROAD INTERSECTIONS

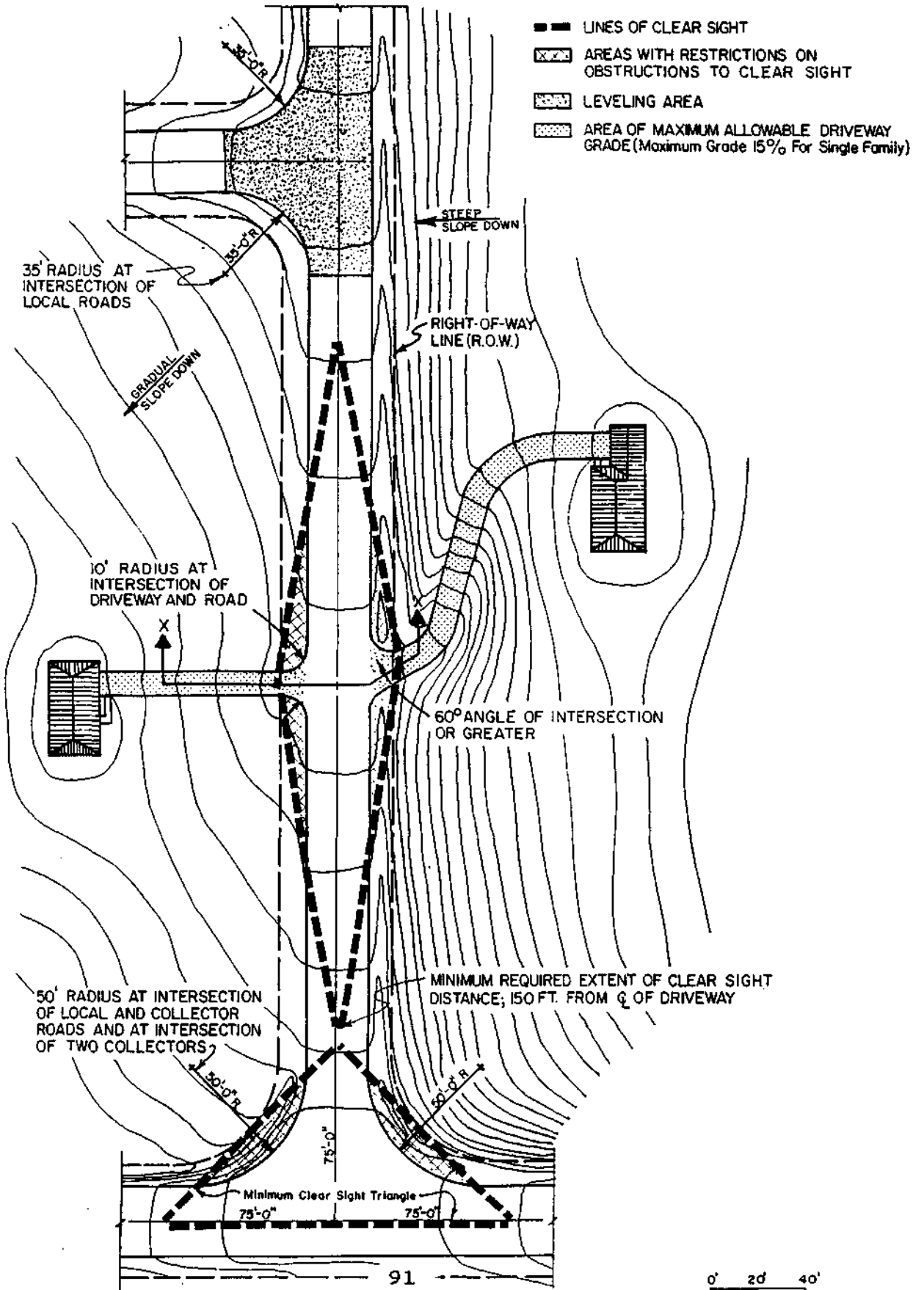
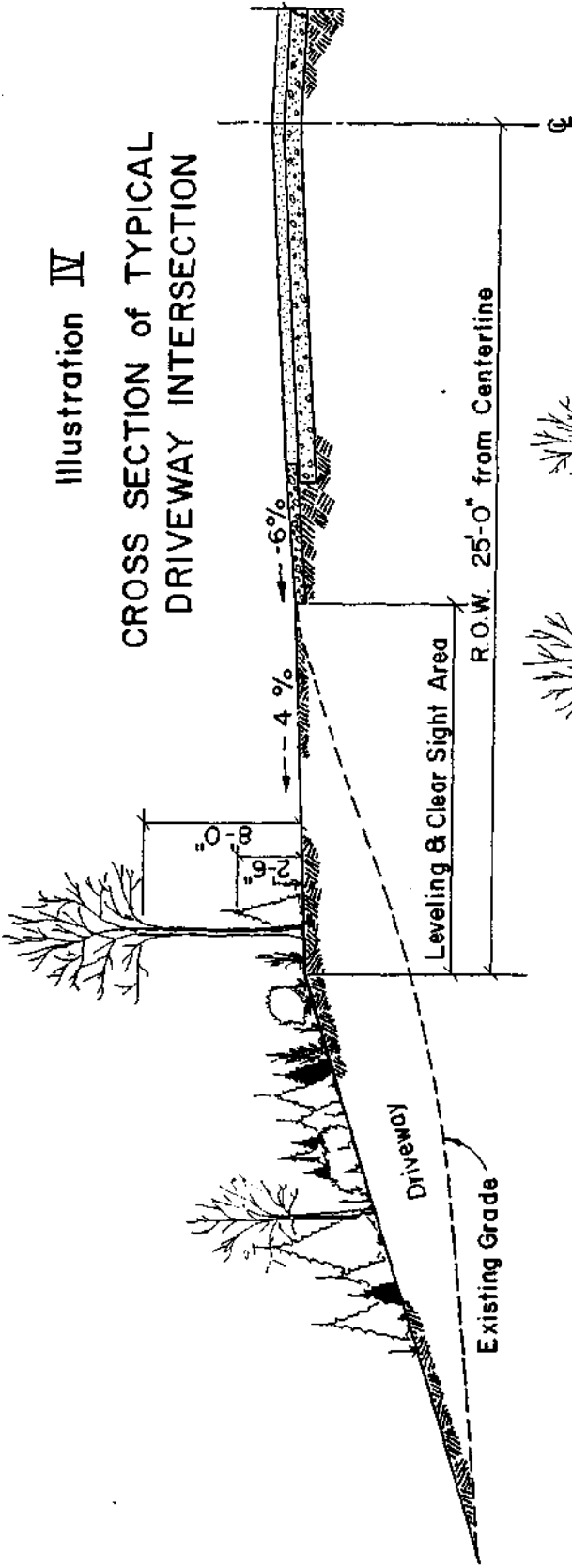


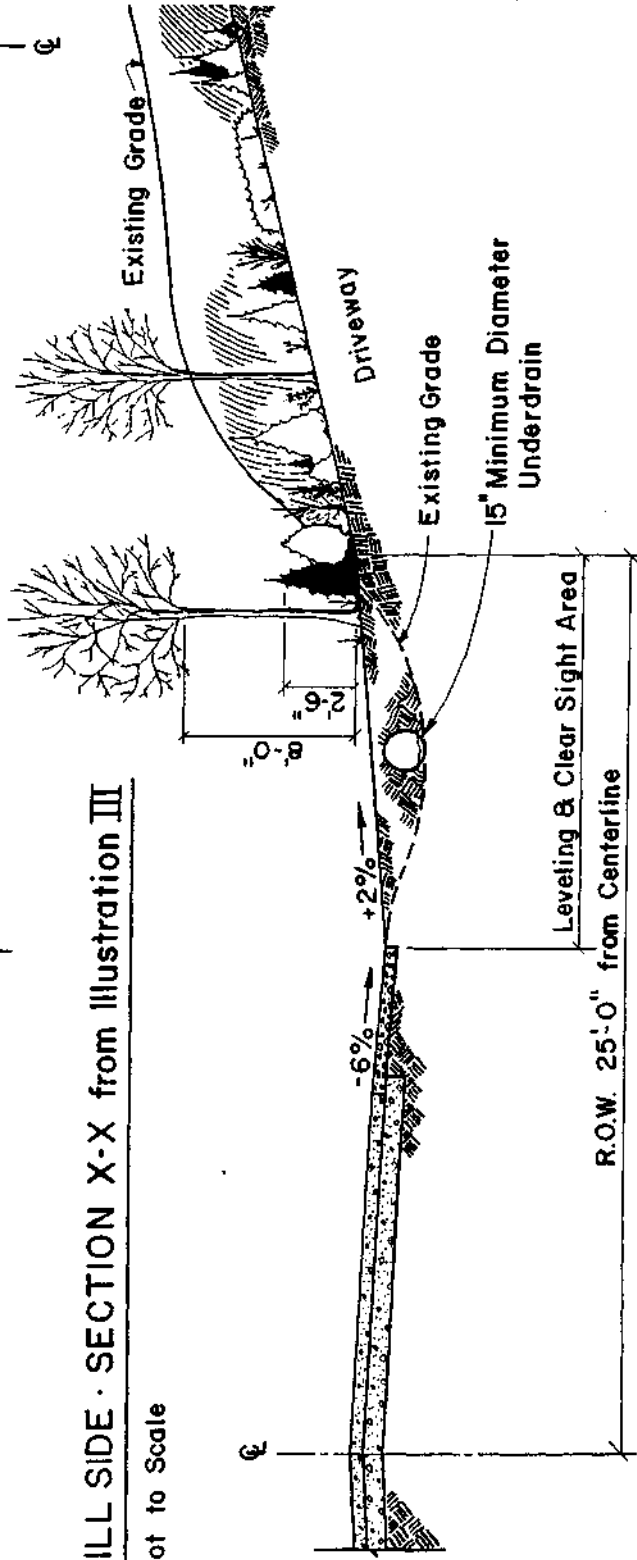
Illustration IV

CROSS SECTION OF TYPICAL DRIVEWAY INTERSECTION



FILL SIDE · SECTION X-X from Illustration III

Not to Scale



CUT SIDE · SECTION X-X from Illustration III

Not to Scale